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THE FREE NEGRO IN NORTH CAROLINA

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The Citadel

THE FREE NEGRO IN NORTH CAROLINA[1]

INTRODUCTION

The most pathetic figure in North Carolina prior to the Civil War was the free negro. Hedged about with social and legal restrictions, he ever remained an anomaly in the social and political life of the State.

The origin of this class of people may be attributed to many sources, the most common of which are (1) cohabitation of white women and negro men, (2) intermarriage of blacks and whites, (3) manumission, (4) military service in the Revolution, and (5) immigration from adjoining States. As early as 1723[2] many free negroes, mulattoes and persons of mixed blood had moved into the Province and had intermarried with the white inhabitants "in contempt of the acts and laws in those cases provided." In the year 1715 in order to discourage intermarriage between white women and negro men, a penalty of £50 was imposed upon the contracting parties, while clergymen and justices of peace were forbidden to celebrate such marriage under a like penalty.[3] However regrettable it may be, it is certain that there were a few disreputable white women who had illegitimate children by negro men, and such children inherited the legal status of the mother. The laws of 1715[4] take cognizance of this fact by imposing a penalty on any white woman "whether bond or free", who shall have a bastard child by any negro, mulatto or Indian.

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Probably the most fruitful origin of the free negro class was manumission. While it is doubtful whether many slaves were set free prior to 1740, it is certain that the Quakers in their Yearly Meeting began to agitate the question of emanci-

[1] This paper was prepared as a thesis in partial fulfilment of the requirements for the degree of Master of Arts in the University of North Carolina.

[2] *State Records*, Vol. XXIII, pp. 106-107. Hereafter the Colonial Records and State Records will be referred to as "C. R.", and "S. R."

[3] Ibid., p. 65.

[4] Ibid.

pating slaves in that year,[5] and they never ceased to advocate emancipation both by precept and example.

The free negro class was slightly augmented by the addition of certain negroes who had served in the continental line of the State during the Revolutionary War, many of whom had been promised their freedom before they enlisted. It was easy in such cases to allege meritorious service as a ground for emancipation. To the before-mentioned causes for the existence of the free negro in North Carolina should be added one other; namely, immigration, particularly from Virginia. Despite the law to the contrary, many free negroes drifted across the State line from Virginia into North Carolina and quietly settled on the unproductive land adjacent thereto.[6]

In every instance except one (service in the Revolution) the free negro came into being against the will of the State either expressed or implied; but once given a place in the social order of the commonwealth, his tribe increased in spite of adverse laws and customs prescribed by the dominant race.

MANUMISSION

It has been previously noted that manumission does not appear to have been a well-established practice before 1741; however the practice was not unknown to the early planters. In the laws of 1723[7] complaint was made that the law which required all free negroes to leave the State within six months after being set free had been disregarded by the negroes, who returned after a time. In order to discourage their return to the State, the law specifically stated that all such free negroes returned contrary to law should be arrested and sold into slavery for seven years,[8] and the sale repeated in case the negro returned a second time. One may readily infer from the very language of the act that it was "obeyed but not executed." That provision of the law which required all free negroes to leave the State within six months after being liberated does not occur in the laws of 1741

[5] Negro Year Book, 1918.
[6] *S. R.*, Vol. 24, p. 639.
[7] Atlantic Monthly, January, 1886.
[8] *S. R.*, Vol. 23, pp. 106-107.

—a fact that would seem to indicate that the law continued to be disregarded.

Prior to 1741 a master could renounce ownership of his slave without leave of court, and according to an opinion rendered by Justice Ruffin in the case of Sampson vs. Burgwin[9] he could probably do so until 1796; however such a renunciation on the part of a slave owner was equivalent to a forfeiture of the slave to the public, which in turn might seize him and sell him into slavery.

The law of 1741, which is the first comprehensive statute on the subject of emancipation, was probably enacted as a safeguard against promiscuous emancipation of slaves by the Quakers. By virtue of this law[10] no negro or mulatto slave could be set free on any pretense whatever, "except for meritorious services, to be adjudged and allowed of by the county court, and license therefrom first had and obtained."[11] For the first time since the element of meritorious service enters into the law as a determining factor in emancipation. By reason of the fact that the law of 1741 was flagrantly violated by certain Quakers in Perquimans and Pasquotank counties, it was reaffirmed by the General Assembly of 1777.

During the latter part of the year 1726 the Quakers, already restive under the restrictions of the law regarding the emancipation of slaves, took advantage of the uncertainty of the times to set free a number of slaves in the counties of Perquimans and Pasquotank.[12] These illegally-emancipated slaves were promptly seized and sold into slavery, whereupon the Quakers brought suit in the Superior Court of the Edenton District for the purpose of testing the legality of the seizure and sale of the negroes. The Superior Court held that the slaves had been unlawfully deprived of their liberties, and as a result of the decision of the Court many of the negroes, in question, were again set at liberty.[13] In order to silence any further contro-

[9] 20 N. C., 21.
[10] *Revisal of* 1804, ch. 24, p. 66.
[11] Weeks' *Southern Quakers and Slavery*, pp. 209-210.
[12] *Ibid.*
[13] *Remarks on Slavery*, by John Parrish, p. 210 (Weeks Collection).

versy, the legislature of 1779 passed a law confirming the sale of illegally-liberated slaves.[14]

The Quakers were ever the unrelenting foes of slavery and they never lost an opportunity to impress upon the people of the State their conception of the iniquity of slave holding. They petitioned the legislature in 1790 to the end that the law of 1741 be repealed and an act passed "whereby the free citizens of this State, who are conscientiously scrupulous of holding slaves may legally emancipate them, etc.."[15]

Due probably to the Santo Domingo revolt in 1791, a law was passed requiring any and all free persons of color who "shall come into this State by land or water or shall hereafter be emancipated" to give bond in the sum of £200, such bond to be held as surety for the good behavior of the sojourning negro.[16]

Emancipation came to be quite onerous in 1801, when the legislature passed a law[17] placing a further restriction on emancipators by requiring them to enter into bond "in the sum of £100 for each slave so liberated." Undoubtedly the law was disregarded in a great many instances. For example, we find in the case of Sampson vs. Burgwin[18] that a county court emancipated a slave notwithstanding the fact that meritorious service was not alleged. The Supreme Court held that an emancipation of that kind was valid because the county court had exclusive jurisdiction. Justice Ruffin observes in the case of Sampson vs. Burgwin that the non-enforcement of the law by the county courts probably resulted in a transference of their jurisdiction over the matter of emancipation to the Superior Courts in 1830.

The act of 1796 did not require a petition in writing in order to emancipate[19]; accordingly a free negro could not always show conclusively that he had been legally set free. The Supreme Court, however, consistently held the opinion that where the people had quietly permitted a negro to enjoy his or her freedom

[14] Weeks' *Southern Quakers and Slavery*, p. 210.
[15] *Ibid.*, p. 221.
[16] Martin's *Revisal*, ch. 16, p. 79.
[17] *Ibid.*, ch. 20, p. 179.
[18] 20 N. C., 21.
[19] Stringer vs. Burcham, 34 N. C., 43.

for a number of years "every presumption is to be made in favor of his or her actual emancipation."[20]

From 1801 to 1828, notwithstanding the constant fear of a negro insurrection, the active work of the American Colonization Society and the persistent efforts of the Quakers to secure more lenient emancipation laws, there was a period of comparative legislative inactivity with reference to the free negro. In fact, during this period there was considerable sentiment in the State favoring the liberation of slaves, thanks to the work of the Colonization Society and the North Carolina Manumission Society.

The North Carolina Manumission Society was organized by the Quakers of Guilford, Chatham and Randolph counties in 1816, and remained in existence for more than twenty years; however it did its most efficient work and had its largest membership between the years 1825-1830. Among other things, it investigated cases of kidnapping, helped to raise the necessary money for purchasing slaves, and used its influence to obtain more lenient emancipation laws.[21]. The Manumission Society was very active in sending slaves to free territory to be set free. In 1826 two boat loads of negro slaves were sent to Africa[22] and in 1828 the Society sent 119 negroes to Haiti. So many negro slaves were sent to Illinois and Indiana by the Manumission Society that these States became alarmed and enacted very stringent laws against admitting free negroes.[23]

Another interesting feature of the benevolent work of the Quakers deserves special mention. On account of the rigidity of the emancipation laws, the Quakers devised a scheme by which "Certain parties were authorized to act as agents and receive certain consignments of slaves from masters who wished to be rid of them."[24] While these slaves were under the tutelage of the Quakers they were virtually, though not nominally free. They were held ostensibly for the purpose of being transported to

[20] Stringer vs. Burcham, 34 N. C., 43.
[21] *Trinity Historical Papers*, Vol. 10, p. 48.
[22] *Ibid.*, Vol. 10, p. 36.
[23] Weeks' *Southern Quakers and Slavery*, p. 232.
[24] *Trinity Historical Papers*, Vol. 10, p. 37.

free territory and there set free. In 1826 the Quakers were caring for 600 slaves.[25] From 1825 to 1830 the slave holders of North Carolina placed in the hands of Quakers hundreds of slaves on condition of their removal to Liberia.[26] Much of this work, however, was undertaken in conjunction with the American Colonization Society.

The Supreme Court held in the case of Trustees vs. Dickenson[27] that the trustees of "the Religious Society and Congregation, usually known by the name of Quakers", had a right to receive and hold property for its own benefit, but it could not hold property in trust for another. The Court held that nothing was wanting to make the condition under which Quakers held slaves complete emancipation except the name. This decision was rendered in 1827 and did much to interrupt the work of the Religious Society and Congregation of the Friends in their efforts to abolish slavery.

One would not be justified in assuming that the numerous negro insurrections in Virginia and South Carolina were primarily responsible for the legislative enactment concerning free negroes in 1830; nevertheless these outbreaks on the part of the negroes, no doubt, influenced the action of the legislature. It is more reasonable to suppose that the abolition movement which reached the State certainly by 1830[28] was a more direct cause. There is a popular conception abroad that the Southampton Rebellion in Virginia was largely responsible for the stringent anti-free negro legislation of the year 1830. Strangely enough, the negro uprising in Sampson and Duplin counties took place in 1831,[29] and the Southampton Rebellion occurred in the same year. The Southampton Rebellion marks a pronounced change in the policy of Virginia towards the free negro,[30] but so far as is ascertainable, only one law of any importance (that which forbade negroes to preach)[31] was enacted in North Carolina as a direct consequence of the Southampton Rebellion.

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[25] *Atlantic Monthly*, January, 1886.
[26] 12 N. C., 190.
[27] *Johns Hopkins Studies*, Vol. 27, p. 189.
[28] *Atlantic Monthly*, January, 1886.
[29] Tarborough *Free Press*, Sept. 20, 1831.
[30] *Johns Hopkins Studies*, Vol. 31, p. 452.
[31] *Revisal of* 1855, ch. 107, p. 576.

As 1832 marks the turning point in Virginia's policy towards the free persons of color, just so the year 1830 marks the beginning of a pronounced change of policy in North Carolina. Sweeping aside all laws and clauses of laws to the contrary, the legislature of 1830 passed a law, which on account of its significance is, I quoted, verbatim:

"Any inhabitant of this State desirous of emancipating a slave shall file a petition in writing with the Superior Court, setting forth name, sex and age of said slave and praying permission to emancipate. The Court shall grant permission on the following conditions: Petitioner shall show that he gave public notice of his intended action six weeks prior in the State Gazette and at county courthouse. Petitioner shall enter into bond with two good securities payable to State of North Carolina in the sum of $1,000 for each slave."[32]

The bond, of course, was required for the good conduct of the slaves as long as they remained in the State, and to insure their departure from the State within ninety days after emancipation became effective, never to return.[33] On the same terms any person could emancipate his or her slaves by will.[34]

It is further provided (Sec. 4) that any one could lawfully emancipate any slave over fifty years of age upon petition filed and order of the Superior Court, by satisfying the Court that said slave had performed meritorious services and giving bond in the sum of $500. In all cases if an emancipated slave returned to the State he could be arrested and sold, or if he failed to leave the State the same fate awaited him. Action could also be brought against the bond of the emancipator and the recovery applied to the support of the poor.[35] The claims of creditors had to be satisfied before emancipation was complete, since no emancipation could work to invalidate such claims. This law remained in force until the actual emancipation of all slaves in North Carolina took place; however at least one of its most drastic features was frequently evaded, as I shall take occasion to show later.

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[32] *Revisal of* 1837, ch. 111, p. 585.
[33] *Ibid.*, ch. 111, p. 585.
[34] *Ibid.*, ch. 111, p. 585.
[35] *Revisal of* 1837, ch. 111, p. 586.

The law of 1830 makes three notable changes in the old process of emancipation: (1) the substitution of perpetual exile for meritorious service for all slaves under the age of fifty years, (2) the requirement of a written petition, and (3) a transfer of jurisdiction from the county courts to the Superior Courts of the State. Despite the apparent severity of the law governing manumission Booker T. Washington in his book, "The Story of the Negro", says that the conditions and laws relative to the Negro in North Carolina were more lenient than those of any other Southern State. With the exception of a law passed in 1861 which forbade the emancipation of slaves by will[36] there was no further legislation in North Carolina with reference to the emancipation of slaves.

We thus see that the State discouraged the practice of manumitting slaves by making it both expensive and troublesome. The only way out of the difficulty was to send slaves out of the State to be set free. Such action was perfectly legitimate, provided the act was done with the bona fide intention that they should remain out of the State,[37] and in the case of Redding vs. Long[38] the Court held that "a deed conveying slaves to one in trust for the grantor during her life and then to send them to Liberia or some other free State . . . after grantor's death is not against the provisions or policy of our statutes on the subject of slavery."

Occasionally the legislature assumed the responsibility of emancipating certain slaves,[39] but aside from the regular, voluntary method of setting slaves free without remuneration, many negroes bought their freedom for a specified sum of money. It frequently happened that an especially industrious and ambitious negro slave hired his time of his master for a stipulated amount of money, and all he made in excess of that amount was set aside as a redemption fund. Lunsford Lane brought his freedom in this manner.[40]

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[36] *Laws of North Carolina*, Session 1860-61, ch. 36, p. 69.
[37] Green vs. Long, 43 N. C., 70.
[38] 34 Jones Equity, 216.
[39] *Laws*, 1854-55, ch. 108, pp. 89-90.
[40] Hawkins, *Life of Lunsford Lane*.

It seems to be a demonstrable fact that when a slave owner voluntarily set his slaves free without remuneration, they were usually sent to free territory but instances can be multiplied of negroes who bought their freedom and remained in the State, the law to the contrary notwithstanding. Sam Morphis, a free negro of Chapel Hill, who earned his living by driving a hack, bought his freedom and continued to live in Chapel Hill.[41] Dave Moore, another slave, bought his freedom and remained at Chapel Hill.[42] Thomas Gosset, a slave blacksmith of Guilford county, bought his freedom of his master about the year 1850 and remained on the same plantation.[43] It was not an uncommon thing for a negro slave to buy his own freedom and then bargain for and procure the freedom of his wife and children by the labor of his hands.

POLITICAL RIGHTS

As Judge Gaston pointed out, in the celebrated case of State vs. Manuel[44], that under the British Colonial Government in Carolina there were only two classes of people recognized by the law; namely, citizens and aliens. It necessarily followed that the native-born free negro was by the principle of *jus soli* a native-born citizen of the State. The fact that he was a citizen, however, did not necessarily entitle him to exercise the privilege of the franchise except by sufferance on the part of the dominant race. While political discrimination against the free person of color during pre-revolutionary times was not so pronounced as it was in 1835, we find very little evidence which tends to show that the free negroes and mulattoes voted to any considerable extent prior to the Revolutionary War.

In the instructions of the Proprietors to the Governor of the Province in 1667, he was ordered to hold an election in which all freemen should help to choose members of the Assembly. This order on the part of the Proprietors was modified in 1734[45] so that none but free holders could vote; but not until 1760 was

[41] Information from Mr. John Huskey, an old citizen of Chapel Hill.
[42] This was also told me by Mr. Huskey.
[43] J. J. Brittain, Box 144, Salem Station, Winston-Salem, N. C.
[44] 20 N. C., 144.
[45] *C. R.*, Vol. 1, p. 167.

a free holder defined.[46] In that year a freeholder was defined to be a person "who bona fide, hath an estate real for his own life-time or for the life of another, etc." The prescription of the property qualification for voting served to deprive the indigent free negro of the franchise. One would hardly feel safe in saying that the free person of color voted regularly prior to 1760. In a petition of the colonists to the crown in 1703[47] it was recited that in the election to choose members of the General Assembly "all sorts of people, even servants, negroes, aliens, Jews and common sailors were admitted to vote in elections." In regard to this election, it is said that "it was conducted with very great partiality and injustice,"—the inference being that it was an uncommon occurrence for negroes to vote.

The framers of our State Constitution of 1776, imbued with exalted notions concerning the rights of man, provided that every freeman with a freehold of fifty acres could vote for members of the State Senate, and that every freeman who had paid public taxes could vote for members of the House of Commons. Of course, under the terms of this section of the Constitution a free negro was entitled to vote; but it is hardly fair to assume that the framers of the Constitution were especially solicitous concerning the political privileges of the free negro when they gave the ballot to all freemen.

Notwithstanding the fact that the negro vote in the State was practically negligible except in a few counties, such as Halifax,[48] white people came more and more to resent the participation of the free negroes in politics. They had been disfranchised in the neighboring States, Virginia having disfranchised her free negroes in 1723[49]; consequently North Carolina in 1835 was the only one of the slaveholding states that allowed the free negro to exercise the franchise. Lacking in intelligence and correspondingly venal, the free negro's support of any aspirant for political office finally came to be regarded as a sort of reproach to the candidate.[50] It was asserted in the Con-

[46] *Ibid.*, Vol. 4, p. 3.
[47] *Ibid.*, Vol. 1, p. 639.
[48] *Political Science Quarterly*, Dec., 1894, p. 626.
[49] *Johns Hopkins Studies*, Vol. 31, p. 418.
[50] *Atlantic Monthly*, January, 1886.

vention of 1835 that the negro vote could be bought with "a little to drink . . . like a lot of poultry."[51] It is claimed that the free negroes lost the franchise in Granville county by persistently supporting Robert Potter. Robert Potter was a notorious politician who later disgraced himself by committing "a brutal mayhem upon two of his wife's relatives."[52]

Indicative of the general attitude of the white people toward the negro is an act of the legislature of 1832,—"an act to vest the right of electing the clerks of the County and Superior Courts in the several counties in this State in the free white men thereof.[53] No mention is made of the free negro as being a qualified voter in this election.

In 1835 there were 300 colored voters in Halifax county, 150 in Hertford, 50 in Chowan, and 75 in Pasquotank.[54] Of course, there were colored voters in many other counties of the State; however the free negro was not a regular voter in many western counties, notably Iredell. Mr. King, of Iredell, could not recall that a free negro had ever voted in his county.[55]

Many broad-minded men in the Convention saw and pointed out the injustice of depriving the free negro of the franchise when "he possessed the same property and other qualifications required of other citizens,"[56] and to correct this injustice amendments were offered which excepted the property-owning class from the general operation of the law disfranchising free negroes. The amendments were defeated by a small majority. In the main, we may say that the colored voter was disfranchised on grounds of expedience rather than upon the grounds of abstract right.

CIVIL RIGHTS

Before the establishment of an independent state government in 1776, not many laws were enacted which abridged the civil rights of the free negro. As a British subject he was required to pay the same tithes as the other inhabitants of the

[51] *Debates in Convention*, 1835.
[52] Wheeler, *Reminiscences*, p. 184.
[53] Hoke vs. Henderson, 15 N. C., 1.
[54] *Political Science Quarterly*, December, 1894, p. 676.
[55] *Debates in Convention*, 1835, p. 353.
[56] *Ibid.*, p. 356.

Province.[57] In 1746 "all negroes and mulattoes bond and free to the third generation (extended to the fourth in 1776) were disqualified to appear as witnesses in any cause whatsoever, except against each other.[58] This law was never repealed. While the law protected a white man against one of the fatal weaknesses of the negro mendacity, it undoubtedly gave to white people an undue advantage over their incompetent neighbor, the free negroes.

About 1787 a series of laws were enacted regulating the conduct of free persons of color. For instance, they were forbidden to trade with slaves in property of any kind[59] under penalty of £10 or three months in prison, they were forbidden to entertain any slave in their houses during the Sabbath or between sunrise and sunset,[60] and in the towns of Wilmington, Washington, Edenton and Fayetteville free negroes were required to wear a badge of cloth on the left shoulder, "and written thereon the word 'Free' ". In addition they had to register with the town clerk and pay a fee of ten shillings three days after arrival in these towns.[61] These laws were passed for the purpose of preventing free negroes from harboring runaway slaves, and from receiving stolen goods from slaves.

The first law making it a criminal offense to bring slaves into the State from a State which had already liberated its slaves was enacted 1786.[62] The law fixed a penalty of £50 for each slave brought in, such fine to take the form of a bond as security for the removal of said slave to the place from whence he came. A similar law was passed in 1826,[63] by virtue of which a free negro was forbidden to enter the State of his own accord under penalty of $500 or a period of ten years in servitude. A period of twenty days was given the intruder in which to leave the State. This law was passed upon recommendation of Governor Gabriel Holmes, who became alarmed at the return of a large of free negroes from Haiti, at which

[57] *S. R.*, Vol. 23, p. 262.
[58] *Ibid.*, p. 262.
[59] *S. R.*, Vol. 24, p. 956.
[60] *Ibid.*, p. 891.
[61] *Ibid.*, pp. 728-729.
[62] *Martin's Revisal*, ch. 6, p. 414.
[63] *Laws of North Carolina*, Session of 1828-29, ch. 34, p. 21.

place they had become inoculated with ideas of freedom. The Virginia legislature passed a law in 1806, banishing all free negroes thereafter set free,[64] many of whom came to North Carolina; however no action was taken at that time to prevent the free negroes from Virginia from entering the State. In order to protect the free negro in the enjoyment of his liberty, the State legislature made the act of kidnapping and selling a free negro into slavery in another state a capital offense without benefit of clergy,[65] but on account of the law which forbade a negro to testify against a white man, it was frequently difficult to prove a man guilty of kidnapping. A rather singular feature of the law was that the penalty for stealing and selling a free negro within the bounds of the State could not exceed a fine of $1,000 or imprisonment for more than 18 months.

The legislature of 1830, not satisfied with the task of making manumission more difficult, proceeded to restrict the movements of those negroes already free by ordering that no free negro could return to this state after being absent for a period of ninety days or more.[66] Provision was made for providential hindrance. This law served a double purpose; namely, it was a means of getting rid of an undesirable element of the population, and in the second place it prevented the dissemination of radical ideas concerning freedom which itinerant negroes might bring back from the North by reason of having come in contact with abolitionists.

For the purpose of protecting a free person of color in the enjoyment of his property, the legislature extended the law respecting insolvent debtors to free persons of color.[67] This law was repealed in 1841.[68] In the same year (1841) the rating of a free negro with respect to citizenship was further discounted by the enactment of a law which excluded him from the ranks of the State militia except in the capacity of musician.[69] A rather singular situation prevailed. Here was a

[64] *Johns Hopkins Studies*, Vol. 31, p. 418.
[65] *Martin's Revisal*, ch. 11, Laws of 1779.
[66] *Revisal of* 1837, ch. 34, p. 208.
[67] *Laws of North Carolina*, Sesssion of 1841, ch. 30, p. 61.
[68] *Revisal of* 1855, ch. 802, p. 1196.
[69] *Revisal of* 1855, ch. 828, p. 1218.

class of people who paid public taxes and voted, but were not allowed to bear arms in defense of their State.

On account of the difficulty of collecting taxes from many free negroes, due to the fact that they had very little property which could be levied on, the General Assembly in 1828 required a person on whose land free negroes resided to "pay a poll tax on the same residing there with their consent."[70] By act of the legislature of 1831, when a free person of color was convicted of a criminal offense and was unable to pay the fine, he should be hired out to any person who would pay the fine in exchange for the negro's services for the shortest length of time—not to exceed five years.[71]

In 1838 for the first time in the history of North Carolina the constitutionality of one of the special laws applicable to a particular class of so-called citizens was tested in the case of State vs. Manuel.[72] Manuel, a free negro of Sampson county, was convicted of assault and battery and fined $20.00 by the court. Upon declaring his inability to pay the fine, he was sentenced to be hired out according to law; whereupon he took an appeal to the Supreme Court of North Carolina. Judge Gaston in a lengthy and able opinion stated two important principles: (1) that the free person of color was a citizen of North Carolina, and (2) that the law requiring free negroes to be hired out in certain cases was constitutional. It had been argued with much show of reason in the Convention of 1835 that the free negro was not a citizen, mainly for the reason that he was not free to move from State to State. Setting aside this argument, Judge Gaston demonstrated that the right of suffrage did not necessarily accompany citizenship. After postulating that "all free persons born within the State are born citizens of the State," he proceeded to show that the removal of the disability of slavery would automatically work to make a citizen of a slave born within the State. He justified the unusual mode of punishment prescribed for a particular class of citizens on the ground that the legislation was given a large grant of power in the suppression of crime, and by reason of this fact it could

[70] *Laws of North Carolina*, Session 1828-29, ch. 34, p. 21.
[71] *Revisal of* 1837, ch. 111, pp. 591-592.
[72] 20 N. C., 144.

discriminate as between different classes of citizens, for what would constitute a punishment for one class of citizens might not be a punishment for another.

On the case of State vs. Newson[73] which was decided in 1844, the constitutionality of the law forbidding free negroes to own or carry weapons was tested. Judge Nash, who rendered the opinion of the Court, took occasion to refer to the case of State vs. Manuel, saying in part, that the hiring out of free negroes introduced a different mode of punishment in the case of a colored man and a white man for the same offense, thereby inferring that such punishment was in contravention of the third article of our State Constitution, which forbids the granting of "exclusive or separate emolument . . . but in consideration of public services." In concluding his opinion he justified the discriminating character of the laws addressed to the free negro by saying that they "are not to be considered citizens in the largest sense of the word."

Notice has been taken of the fact that a quietus was put on negro preachers in 1831. The rights of the free person of color were further circumscribed during the forties. For example, it was made unlawful to sell spiritous liquors to such people, except on prescription of practicing physicians for medicinal purposes.[74] The marriage of a free negro and a slave was absolutely prohibited by law,[75] and a free negro was not allowed to bear arms or to have weapons in his possession unless he had a license from the Court of Pleas and Quarter Sessions.[76] However restrictive this legislation may appear, it is not comparable to many laws on the same subject enacted in Virginia. Free negroes could not own slaves in North Carolina until 1861.[77] They were not only forbidden to own a gun in Virginia, but they were likewise forbidden to own a dog.[78] After 1832 free negroes were not allowed benefit or trial by jury in Virginia, while in North Carolina this fundamental right was never abridged.

[73] 27 N. C., 250.
[74] *Laws of North Carolina*, Session 1858-59, ch. 31fi p. 71.
[75] *Revisal of* 1855, ch. 107, p. 577.
[76] *Ibid.*, ch. 107, p. 577.
[77] *Laws of North Carolina*, Session 1860-61, ch. 37, p. 69.
[78] *Johns Hopkins Studies*, Vol. 31, p. 418.

One might seriously inquire as to what remained of the civil rights of the hybrid citizen, known in legal parlance as the free person of color, save the right of trial by jury, road duty, and the poll tax requirement. In answer to this inquiry, I quote a portion of Governor Graham's letter to Holderby written in 1866:

> Free negroes have always been regarded as freemen in North Carolina, and as such, entitled to the privilege of habeas corpus, trial by jury, ownership of property, even slaves, to prosecute and defend suits in courts of justice . . . and to prove by their own oath, even against white men accounts to the amount of sixty dollars for work and labor done on goods sold under the Book Debit Law.[79]

To the foregoing let me add an excerpt from Governor Worth's message to the General Assembly in 1866:

> Such rights as were accorded to the free colored people of North Carolina were ever most scrupulously observed and maintained. For ages it had been a most ignominous offense to kidnap . . . or to endeavor to enslave a person of African descent who was free. . . . In all criminal accusations tried by jury, he was allowed the rights of challenge and other safeguards of the common law. Property was acquired and held by them with all the privileges of transfer, devise and descent.[80]

After all has been said, the lot of the free negro in North Carolina was a hard one. He had very little to strive for—no high and worthy goal spurred his ambition. The avenues of opportunity were closed by legal and social restrictions; consequently he passed among the white people for a sort of worthless incubus on society. Had the old slavery regime survived a few years longer it is probable that all the free negroes would have been compelled to leave the State, or at least an attempt to expel them would have been made. During the session of the legislature of 1858-59 two bills, one originating in the House and the other in the Senate, were introduced, providing for the removal from the State of all free persons of color by January 1, 1860, or the enslavement of those who remained.

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[79] *The Daily Sentinel*, February 8, 1866.
[80] *Ibid.*, January 20, 1866.
[81] Bills found in the Weeks Collection, U. N. C. Library.

SOCIAL AND ECONOMIC STATUS

Socially the free negro was supposed to take a little higher rank than the slave; however not every slave would acknowledge the social supremacy of his free brother. The attitude of envy and sometimes of contempt for the "old issue," as the free negro was commonly called, was probably encouraged by the slave owners, who wished to discourage the association of the two classes of negroes. It has already been noted that free negroes were finally absolutely forbidden to marry slaves, and amongst other laws designed to prevent a too great intimacy between free negroes and slaves, there was one which forbade them to gamble with one another.[82] In spite of the laws designed to prevent social intercourse between the two classes of negroes, there was a great deal of clandestine association, especially in the towns. Mr. John Huskey, an old citizen of Chapel Hill, recalls the time when the magistrate's court in Chapel Hill was crowded with offenders against the gambling law.[83] It was a common occurrence on Monday morning to see a group of these offenders led out into the bushes and there given thirty-nine lashes. The relation between free negroes and slaves was probably more cordial in the towns than in the country. Occasionally a free negro married a slave, and, indeed, a slave wife was often preferred on account of the fact that she was supported by her master.

Free negroes and white people were, of course, forbidden to marry on any terms;[84] at the same time there are many well-known instances of illicit cohabitation between free negro men and white women. O. W. Blacknall tells the story[85] of a white woman in Granville county who contrived to circumvent the law prohibiting her marriage to her negro lover by having a portion of his blood injected into her veins. She could then swear that she had negro blood in her veins. The free negro women, especially the single ones, were mercenary, and the fact that 55% of the free negro population of North Carolina in

[82] *Revisal of* 1837, ch. 111, p. 590.
[83] A considerable number of free negroes lived in the town of Chapel Hill.
[84] *Laws of North Carolina*, Session 1830-31, ch. 4, p. 9.
[85] *Atlantic Monthly*, January, 1886.

1860 consisted of mulattoes[86] is very good evidence that the moral standard of many white men was decidedly low.

The poor white man was ever an object of contempt in the sight of the free negro. "Big white folks are all right, but poor white folks ain't no better than us niggers." Such was the general opinion the colored citizen held of his indigent white neighbor.

As a rule, the Quakers were much more cordial in their relations with the free people of color than was any other element of the white population in the State.[87] Rev. J. W. Wellons, of Elon College, N. C., relates an interesting experience he had in attempting to preach to a group of free negroes in Randolph county many years before the Civil War. The free negroes referred to were known as Waldens. They owned considerable land and were withal respectable farmers. The Quakers had allowed them to sit in the congregation with the white folks, and also to come to the white "mourner's bench." On the particular occasion in question, Reverend Mr. Wellons assigned them a certain space in which to sit, and invited them to a separate "mourner's bench," whereupon they became insulted, raised their tents, and left the camp meeting. As a rule, the free negroes did not attend church, possibly for the reason that in nearly all the churches they had to sit with the slaves.[88]

There are no available figures which show the percentage of crime and criminals among the free colored people as compared to the slaves. The fact that their criminal record was sometimes pointed out as an argument against the general emancipation of slaves, does not indicate that they were any worse than the slaves. The slave owners always regarded the free negro with suspicion because he was known to be in sympathy with the desire of the slaves to be free; he might aid slaves in planning a revolt, in running away from their masters and in disposing of stolen goods.

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[86] *Atlantic Monthly*, January, 1886.

[87] Rev. J. W. Wellons, Elon College, N. C. Mr. Wellons witnessed the execution of Nat Turner in 1831.

[88] Pleasant Grove Church in Randolph county contained a reservation for free negroes.

A glance at the table on the opposite page will show that the counties of Halifax, Wake, Craven, Robeson, Granville and Pasquotank had the heaviest free negro population,—Halifax leading with 2,452. Probably the largest group of free negroes to be found in North Carolina was the exclusive "old issue" settlement known far and wide as The Meadows, near Ransom's Bridge on Fishing Creek in Halifax County. The people still bear the appellation "old issue," and are heartily detested by the well-to-do negroes in the adjoining counties.

The United States Census Reports show the following increase in the free negro population of North Carolina, beginning with 1790:

1790	free	black	population	4,975
1800	"	"	"	7,043
1810	"	"	"	10,266
1820	"	"	"	14,612
1830	"	"	"	19,543
1840	"	"	"	22,732
1850	"	"	"	27,463
1860	"	"	"	30,463

In 1816 the General Assembly of North Carolina memorialized Congress to set apart "a certain portion of the United States, situate on the Pacific Ocean for an asylum for persons of color . . . heretofore emancipated or shall hereafter be emancipated under the laws of this State or any other State."[89] The Federal Government was to provide free transportation. Of course, no action was taken; but the petition throws light on the prevailing sentiment in North Carolina in 1816 with reference to the emancipated negroes. As a matter of fact, there never was a time that the people of North Carolina would not have rejoiced to see a wholesale exodus of the free colored population from the State.

The pronounced indolence and shiftlessness of the free negroes led to the enactment of a law respecting idleness and vagrancy among this class of people, and provided for the hiring out of any free negro convicted of idleness for a term of service and labor not to exceed three years for any single offense.[90]

[89] Hoyt, *Murphey Papers*, p. 61.
[90] *Revisal of* 1837, ch. 111, p. 588.

FREE NEGROES BY COUNTIES IN NORTH CAROLINA—1860

Alamance	422	Jackson	6
Alexander	24	Johnston	195
Alleghany	33	Jones	113
Anson	152	Lenoir	178
Ashe	142	Lincoln	81
Bertie	319	McDowell	273
Bladen	435	Macon	115
Brunswick	260	Madison	17
Buncombe	111	Martin	451
Burke	221	Mecklenburg	293
Cabarrus	115	Montgomery	46
Caldwell	114	Moore	184
Camden	274	Nash	687
Carteret	153	New Hanover	640
Caswell	282	Northampton	659
Catawba	32	Orange	528
Chatham	306	Onslow	162
Cherokee	38	Pasquotank	1,507
Chowan	150	Perquimans	395
Cleveland	109	Person	318
Columbus	355	Pitt	127
Craven	1,332	Polk	106
Cumberland	109	Randolph	432
Currituck	223	Richmond	345
Davidson	149	Robeson	1,462
Davie	161	Rockingham	409
Duplin	371	Rowan	136
Edgecombe	389	Rutherford	123
Forsyth	218	Sampson	488
Franklin	566	Stanly	45
Gaston	111	Stokes	86
Gates	361	Surry	184
Granville	1,123	Tyrrell	143
Greene	154	Union	53
Guilford	693	Wake	1,446
Halifax	2,452	Warren	402
Harnett	103	Washington	299
Haywood	14	Watauga	81
Henderson	85	Wayne	737
Hertford	1,112	Wilkes	261
Hyde	257	Wilson	281
Iredell	26	Yancey	67

How did the free negroes employ their time? While there were exceptions, the majority of the free colored people hired themselves to work for white people for a daily wage, others became blacksmiths, tinkers, barbers, farmers, small merchants and fiddlers. In almost every community there was a free negro well-digger or ditcher. Where they could rent land, many of them attempted farming on a small scale in connection with their work as wage earners. Free negro women usually made better house servants than slave negro women and were consequently frequently employed in that capacity.[91]

With practically no education, and with very little incentive to accumulate property in any of its forms, one is not surprised to learn that the free negroes, in the words of an old-timer, "never amounted to much."

This paper would not be complete without reference to a few notable free negroes who achieved distinction in the State and nation. Lunsford Lane, the slave of Mrs. Haywood, of Raleigh, bought his freedom and then went North to collect funds with which to buy his wife and children. On returning to the State, he began to negotiate for the purchase of his family, but before he could effect their release from bondage he was forced to leave the State. Not content to leave his wife and children in North Carolina, he came back a second time on the assurance of influential friends that he would not be molested. Upon his arrival in Raleigh, he was arrested, tried and acquitted of being an abolition lecturer. He was subsequently tarred and feathered, but on leaving the State the second time he carried his family. He later became famous as an abolition lecturer.[92]

John Chavis is another famous free negro. He was a regular ordained minister until 1832, when as a result of Nat Turner's Rebellion, all colored preachers were silenced. After 1832 he followed the teaching profession with signal success, conducting schools in Wake, Chatham and Granville counties, and numbering among his pupils such prominent men as Governor Charles Manly, Priestly Mangum, son of Senator Mangum, and

[91] Reverend J. W. Wellons, Elon College, N. C.
[92] Hawkins, *Life of Lunsford Lane.*

Mr. James H. Horner, founder of the Horner School. He seems to have had a very successful theory of teaching the English language, and his school was reputed to be the best preparatory school in the state at that time.[93]

John C. Stanley, another prominent free negro, began work as a barber and eventually acquired several plantations and sixty-four slaves.[94] Lewis Sheridan, a successful negro farmer and business man, the owner of nineteen slaves, was regarded by Judge Samuel Wilkeson, of New York, as a man of high character, moral worth and mercantile ability.[95]

Other free negroes worthy of special mention are James D. Sampson, John Good, of New Bern, and Henry Evans, a full-blooded free negro from Virginia, a shoemaker by trade, who founded the Methodist Church in Fayetteville during the late eighteenth century.

After taking into account the entire policy of the State relative to the free negro—a policy characteristic of the entire South, one feels that in many respects it was a mistaken one. For instance, should not the State have provided for the education and general uplift of its free negroes? While there were no laws to prohibit the teaching of free negroes, the State did not adopt any positive measures for training them in the duties of citizenship; consequently they remained for the most part in abject and vicious ignorance. It is quite probable that the history of reconstruction in North Carolina would have a brighter aspect had there been an enlightened element of negroes as a nucleus around which the great mass of freedmen could have arrayed themselves. Instead of being led by carpet-baggers, they could have had the leadership of conservative, law-abiding negroes, already instructed in the duties of citizenship.

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[93] *The Southern Workman*, February, 1914.
[94] *Johns Hopkins Studies*, 1899, p. 360.
[95] *Ibid.*, Vol. 37, p. 35.

SOME COLONIAL HISTORY OF CRAVEN COUNTY

BY
FRANCIS H. COOPER

SOME COLONIAL HISTORY OF CRAVEN COUNTY

Before we can understand or know the history of one county, it is necessary to have a general knowledge of the history of the colony or State. So, before writing the history of Craven county during the colonial period, I deem it necessary first to give a brief history of North Carolina before 1707.

Carolina before 1663 belonged to Sir Robert Heath, who had promised to help settle it. He did not, however, make any efforts toward settlement. So in 1663 Carolina was given to eight Lords Proprietors, who were to settle it and govern the settlers as they saw fit. These proprietors were the Duke of Albemarle, Lord Craven, Lord Ashley; Sir John Colleton, Lord John Berkley, Sir William Berkley, Lord Clarendon, and Sir George Carteret. They immediately met and set up a plan of government for Carolina. They also said, and had it made known to the public, "that freedom should be enjoyed by the colonists, and that for the five years next following every new settler should receive one hundred acres of land, and fifty in addition for each servant that he brought into the colony, subject only to the payment of a half penny per acre. There was also entire exemption granted from the payment of any custom dues."[2]

The first people that we are sure settled in Carolina came in 1656, but we have a reason to believe that there were settlers in Albemarle before then. We find Roger Green, a Clergyman, petitioning for and obtaining ten thousand acres of land for the first one hundred persons who should settle themselves on the Roanoke and south of the Chowan.[3] This was in the year 1653. Again, in 1651 we find a party of the people who lived south of Norfolk making an entrance by the Currituck inlet, touring Carolina. First they explored Roanoke where Raleigh's first colony was, then proceeded to the Tuscarora Indians, whom

[1] This paper was awarded the second prize in the Colonial Dames contest for 1916.
[2] Hawks, *History of North Carolina*, p. 70.
[3] Hawks, Vol. II, p. 70.

they attached to the interest of the English. After meeting the Tuscaroras they journeyed southward and came in contact with the Neuse, Haynokes and Core Indians, who dwelt on the shores of the Pamlico and Neuse rivers.[4] It is probable that they came inland as far as the present Craven, or Colonial Craven County.

In 1660 the people from New England attempted to settle on the Cape Fear River but failed. In 1664 a group of men landed on Cape Fear from Barbados, intending to make it their home, but they were also unsuccessful. At this time there were two counties in Carolina, Albemarle County on the North and Clarendon on the South, including the Cape Fear region. Between these two counties there was a region including the Neuse and Tar Rivers, later known as Bath County, but at this time unsettled save for the Indians and nearly equally wild northern hunters.[5] In fact I have been able to find the record or name of but one settler in the territory which later became Colonial Craven County who came before 1707. That one was Mr. James Blount, who came from Virginia in 1664.[6] Although he is the only one we know of directly it is certain that there were others who had penetrated from Albemarle or had come from Bermuda and settled there before 1707. In 1676 Thomas Eastchurch was made commander in chief of the settlements on the Pamlico and Neuse rivers. At this date undoubtedly there were a few settlers on the Neuse, and these were stragglers from Albemarle. Most of the people who settled in Carolina before 1707 were either fugitives of religious persecution from New England and Virginia, or were fugitives of the law who came from Virginia and the Bermudas to escape from the hand of justice. Dr. Hawks says, "The region south of Albemarle as far down as the Neuse and Pamlico derived the larger part of its first inhabitants from the counties between the Sound and Virginia."[7] But before these commenced their migration there were some whites there, but not English. Martin says that in 1690 the French Protestant refugees on the James River bought land on the Pamlico and settled there. In 1698

[4] *Ibid.*, p. 71.
[5] *Ibid.*, p. 6.
[6] Wheeler's *Men and Memories of North Carolina*, under Craven County.
[7] Hawks, Vol. II, p. 84.

the whites from Albemarle made settlements on the Pamlico. The Indians in that region just before the whites came had been killed by a plague, thought to have been the smallpox.[8] But with all these settlements there were but about 5,000 whites in North Carolina in 1698.[9] Soon after this migration in 1698 to the Pamlico River the English settled the present town of Bath. This was the first incorporated town in the province. Forty-two years had elapsed between the first settlement and the first town in North Carolina. This was due largely to the fact that the people were given to farming, and their products were delivered directly from the field to the boat.

In 1707 the first settlement that we are sure of was made in Craven County. A colony of French Huguenots, encouraged by William III, in the year 1690, had come to America and settled at Manakin Town, Virginia, above the falls of the James River. They were not satisfied with the land that they first occupied and moved southward, one group in 1690,[10] and, as we have seen, settled on the Pamlico. In 1707 another group moved southward and settled on the Trent and Neuse Rivers, mostly on the Trent in Craven county, near where the old county bride stood,[11] which was not over a mile and a half from the site of the present bridge. With these French, who were a sober, frugal, industrious people, and who in a short time became independent citizens, came their minister, Phillipe de Richebourge.[11] Some of his decendants still live in the county of Buncombe. And Williamson says that Rymbourg came with them,[12] but he must have stopped on the Pamlico. After a short time Richebourge, with a portion of his people, proceeded farther south and planted himself on the Santee River, where he died.

There are plainly two causes that brought the early settlers to North Carolina. First, the land was fertile and free; second, because freedom of worship was promised. Not only religious people came to North Carolina, but also outlaws and debtors

[8] *Ibid.*, p. 84.
[9] *Ibid.*, p. 85.
[10] Williamson, *History of North Carolina*, p. 178.
[11] Vass, *History of Presbyterian Church and Craven County*, p. 49.
[12] Williamson, p. 178.

came. These mixed and we are not surprised that in a short time we do not find the settlers of North Carolina religious, after having adapted themselves to a new country, new manners and ways, and mixed the best with the worst. In fact they had ways of their own. But these people were not allowed to rest in peace long before an attempt was made to persecute them in their new homes.

As we have seen, Carolina was given to the Lord Proprietors and they promised freedom of worship to settlers; also Charles II said, "that the Church of England should be the church of the province. Yet that toleration should be allowed to all other sects so long as they did not trouble the government or insult the Church." These were the intentions of the Proprietors and the King, but they were unfortunate in picking men for governors of the province.

The first of these governors that I shall mention was Stephens, (1667). He did not try to force the English Church on the people, but he did forbid them to pay debts made before coming to North Carolina. He also tried to force "Locke's Constitution" on them. They resisted it, however, until 1775. In 1677 came the Culpepper Revolt. Then came the rule of Seth Sothel. He broke off the trade with the Indians for his own private gain. He seized and confiscated without a shadow of cause cargoes, negroes, cattle, plantations, and even pewter dishes were not exempt from his rapacious hands. He upheld men of his own type, and there was no justice in court. In 1704 Governor Daniels came over. He was determined to establish the Church of England in the Province but had little success. He was governor only one year before Cary came as governor. Cary was determined to rule the colony. He ruled for a short time when Glover came over as governor. He did not intend to give up his office and he brought about the Cary Rebellion, which we shall touch upon later.

In 1664 that part of the country between Albemarle and Clarendon was made into a county by the name of Bath. And in 1705 Bath was divided into three precincts, Craven being included in the Archdale precinct.

CRAVEN COUNTY, SITUATION, CLIMATE, SOIL, PRODUCTS AND TRADE

The present Craven county lies in the eastern part of North Carolina, on the Neuse and Trent Rivers. It has an area of about 417,950 acres and is bounded by the counties of Carteret, Pamlico, Jones, Pitt, Beaufort, and Lenoir. It is considerably smaller now than at the close of the year 1775.

In 1664 the territory between Albemarle and Cape Fear was named Bath. In 1705 Bath county was divided into precincts. That part of the country between the Neuse and Pamlico Rivers, together with the settlements on both sides of Neuse, was called Archdale precinct. This precinct included the present Craven county and more. At this time there were about five thousand inhabitants in the whole province. The coming of the French, Swiss, and Germans to Archdale precinct, or Craven county, made Archdale the most populous precinct south of Albemarle. In 1713 the population of the whole province was not more than three thousand, the Indian war having driven the people away. But in 1715 we find the whole province to have about eleven thousand two hundred inhabitants. There were 7,500 whites and 3,700 negroes. In fact the population had increased in such numbers since 1713 that the Lord Proprietors found it necessary in order to govern the people and in order to establish the Church, to divide each of the three counties into precincts and parishes. Bath was divided into three or four precincts or parishes. That part on the Neuse, Trent, and Bear Rivers, and their branches, formerly Archdale precinct, was named Craven precinct or parish,[13] after Lord Craven, one of the Proprietors. The population gradually increased in Craven precinct. In 1729 all the province was purchased by the crown with the exception of Carteret's part. The royal authority changed the term of precinct to county, giving each the colonial county government. Craven county consisted of the territory on the Neuse, Trent, and Bear Rivers and their tributaries. It seems as if there was no limit to the western part of the county.

[13] *C. R.* Vol. II, p.207.

I suppose that it extended as far back as the source of the Neuse. In 1733 Edgecombe county was formed out of part of Craven county.[14] In 1746 Craven county was divided by a line beginning at the mouth of Southwest Creek and extending up the creek. The northern part became Johnston county.[15] In 1764 the northern part of Craven was added to Dobbs county and later a part to Pitt. About this time, by the petition of the people of that part of Beaufort lying between Bay River and Lower Broad Creek, that part of said county, became a part of Craven county. So we see that from the year 1733 the boundaries of Craven county were steadily decreased and one time increased, so they were nearly the same as now plus those of Jones, and part of Pamlico.

The climate of Craven is changeable but good. The soil runs from the sandy soil in the fields to the black of the river valleys. In its productiveness it is unsurpassed, both for agriculture and stock raising. Hawks, speaking of the eastern part of North Carolina, particularly of Colonial Carteret and Craven counties, says, "While from the Virginia line down to the sea coast in Carteret, the region of the first settlers was wonderfully productive. The swamps and stream banks [Craven is full of such streams and banks] are full of oak, cypress, gum, cedar, ash, maple, and walnut trees. The pasturage was excellent and the oxen grew to a great size and were used for beef. Heifers increased so rapidly that in a short time people found themselves owners of hundreds of cattle and beeves. The hog increased greatest being fed from acorns and nuts found in the woods. Sheep thrived." Indeed Craven was a rich territory. Life was made easy by nature, and it is not to be wondered at that with such existing natural advantages and freedom as Craven afforded that the oppressed of other countries and colonies sought abodes there.

The people of Craven county at first only traded with New England and Virginia, but soon with the West Indies and Europe. Indeed, ships left New Bern direct for France and Eng-

[14] *Handbook of North Carolina, 1879*, p. 67.
[15] *C. R.*, Vol. XXIII, p.248.
[16] *Ibid.*, p. 48.

land before 1776. I expect that Craven county had as much if not more trade than any other colonial county of North Carolina. The chief products were beef, pork, tallow, hides, deerskins and furs, corn, peas, tobacco, cotton, hemp, tar, pitch, turpentine, rice, and flour. To Virginia went the greater part of our tobacco, in exchange for articles needed. To New England and the Bermudas went the greater part of our products in exchange for rum, sugar, salt, molasses and some wearing apparel. To Europe went our naval stores. Indian corn, and naval supplies were our greatest exports. So great an amount of Indian corn was being shipped from New Bern in 1776 that Tryon, fearful that the supply would give out, proclaimed that no more should leave until after four months from date. This corn went to the North and to the West Indies.[17] We had a good trade with the North and West Indies. The harbors at New Bern were never seen without a ship from one of these places waiting for cargoes. Craven county was on the post road from Suffolk, Virginia, to South Carolina. The roads of Craven were bad, but not so in comparison with those of other counties. Indeed, Colonial Craven county was an ideal place of abode.

SWISS AND GERMAN PALATINES

Craven county, or Archdale precinct, as it was then known, has the distinction of having the first settlers to come direct from Europe to the province. And this colony added greatly to the population of the province. They made good citizens and were welcomed to the colony. Fitch says, "This was the first important introduction into the eastern section of the province of a most excellent class of liberty-loving people, whose descendants, wherever their lots were cast in our country, gave illustrious proof of their valor and patriotism during the Revolutionary War."[18]

The German Palatines came from the Palatinate. They came also from Heidelberg, and its vicinity.

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[17] *C. R.*, Vol. VII, p. 225.
[18] Fitch *Some Neglected History of North Carolina*, p. 26.

The colony was indebted for these to the trouble in Europe in 1693.[19] This trouble was religious persecution. The Elector Palatine, Frederick III, surnamed "the pious," who died in 1676, was one of the purest and noblest German princes,—the German Alfred. He was devoted to the advancement—political, educational, and ecclesiastical—of his people. In 1685 the successor of Frederick died and the house of Newbury, a bigoted popish family, came in. The religion of a province in Germany was at that time governed by the religion of the ruling prince, or in other words the people had to recant every time a new prince with a different religion came on the throne. The Palatinate was a strong Protestant province, and in spite of the invasions of 1622, 1634, 1688, ordered by the pope, had retained their faith in Protestantism and would not change. The new prince in 1685 being a Catholic, severe punishment was brought upon them, but they refused to recant. In 1688 Louis XIV of France, a zealous champion of the pope, waged war on and invaded the Palatinate. The country was devastated and the people turned out of their homes because they would not, or could not, change their faith every time the throne was occupied by a new prince. They with their neighbors from the near vicinity, to the number of many thousand, had to seek homes in foreign countries. Great sympathy was felt for these poor creatures, whose sin was merely Protestantism.[20] The Queen of England, Anne, pitying their condition by her proclamation, in 1708, offered them protection in her dominions, and about twelve thousand went to England in 1708-1709. De Graffenried estimated that at the time of his arrival in England more than twenty thousand had come, "but intermingled with many Swiss and people of other German provinces."[21]

About this time Christopher Emanuel de Graffenried arrived in England and with him a friend, Lewis Mitchell. Both of these men were looking for a way to repair their fortune. Mitch-

[19] Hawks, Vol. 2, p.86.
[20] Hawks, Vol. II, p. 86.
[21] Vass, p. 57.

ell had been to America and knew something of it. De Graffenried was a young, handsome and fascinating Swiss nobleman and was a favorite of Queen Anne. He was a citizen of Bern, Switzerland, and the elder son of Antony De Gräaffenried, Lord of Worb. He had been mayor of Yoerdon, in Neufchatel, under the commission from the senate of Bern. He had failed financially and went to England, in hopes of going to America to build up his fortune.[22] He saw a chance in these Palatines. He and Mitchell acted and through Mitchell's influence they determined to plant a colony in Carolina.

They bought ten thousand acres of land between the Neuse and Cape Fear Rivers and their branches. They paid twenty shillings sterling per hundred acres and bound themselves for six pence yearly per hundred acres. In addition to this the Surveyor General was to lay off and reserve for them one hundred thousand acres of land for a period of twelve years. And when they had paid for five thousand acres at the set price one of them was to be gratified by a title. Graffenried made the purchase and was made Baron.[23] De Graffenried and Mitchell, having made this purchase, naturally wanted settlers for their territory so as to make it pay them. The Palatines offered themselves for speculation. The Baron and Mitchell knew that Queen Anne would help pay for their transportation to America. They mentioned it to the Queen, who was glad to help the Palatines. She not only paid for the transportation of them but also bestowed gifts to the amount of £4,000 sterling[24] on them. Before this, commissioners had been appointed to collect money for the aid of the Palatines. Then De Graffenried and Mitchell made an agreement with the Lord Proprietors. The result was that De Graffenried and Mitchell agreed to transport ninety-two families of the Palatines, nearly six hundred and fifty persons, with their own Swiss colonists. They paid only five and a half pounds per person for the Palatines that they transported to North Carolina, or about $18,000.[25] They were also to give to each family two hundred and fifty acres of land

[22] *Ibid.*, p. 53.
[23] Williamson, p. 182.
[24] Vass, p. 57.
[25] *Ibid.*

and the first five years free from charge, but every year after the said five years the Palatines were to pay them two pence lawful money for each acre.[26] During the first year after their arrival they were to be furnished grain, provisions and other things for the support of life. They were to pay for this two years after their arrival. They were also to be furnished within four months after their arrival with two cows and two calves, five sows with their young, two ewe sheep and two lambs, with a male of each kind. These were to be paid for within seven years after receiving them. They were also to be furnished, gratis, tools and implements for felling trees and building houses.[27]

The commissioners, on their part, for the Queen agreed to give each colonist, young and old, twenty shillings sterling in clothes and money, and to pay De Graffenried and Mitchell five pounds and ten shillings a head for transportation.[28] The money of the poor Palatines was given to De Graffenried, and if they received any of it it was only a small portion. This agreement is dated October 1709.

In mild weather in January, 1710, after prayer they set sail for America, escorted by Read-Admiral Noris with two ships as far as the latitude of Portugal. The voyage was rough and lasted for thirteen weeks. They suffered terribly from hunger, and more than half died on the way over. At the mouth of the James River a French captain plundered one of the vessels containing the best goods.[29] Besides many dying on the sea a good number died from eating and drinking too much raw fruit and water after landing. Those who were left landed in Virginia, and after travelling twenty miles or more by land they arrived in the county of Albemarle on the River Chowan, at the residence of a rich settler, Thomas Pollock. He took care of them and supplied them with all necessities, for money. He sent them across the sound in boats and into the county of Bath, where they were located April or May, 1710, by the Surveyor-General, Lawson, on a tongue of land between the Neuse and

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[26] *C. R.*, Vol. I, p. 988.
[27] *Ibid.*
[28] Hawks, Vol. II, p. 87.
[29] Vass, p. 57 or *C. R.*, Vol. I, p. 909.

Trent Rivers, called Chattawka, where afterwards was founded the small city of New Bern.[30]

De Graffenried was not able to accompany the Palatines because he had to meet a colony of his own people of Bern. He, after picking out the best and healthiest of the Palatines, appointed three directors, who happened to be then in London and who had lived already several years in Carolina. One was a General Receiver, another General-Surveyor, the third a Justice of Peace. It is not certain that the three sailed with them, but we know that the General-Surveyor, John Lawson, came with them. Lawson, as De Graffenried says, "instead of settling these poor people every one on his own plantation, in order to gain time and enable them to clear and clean out their lands, located them in his own personal interest on part of his own lands on the southern bank of Trent River at the very hottest and most unhealthy place." Furthermore, he sold them that tongue of land between the Neuse and Trent Rivers at a heavy price when he had no claim to it.[31] De Graffenried had later to buy it from the Indian Chief King Taylor. On this place the Palatines remained until September, suffering from lack of food and other necessities. In fact, they were forced to sell their clothes and other things in order to sustain life.

In September 1710 De Graffenried, with his Swiss, arrived in Chattawka. As we have seen, he left London and went to New Castle, where the Swiss joined him. The Swiss were mostly from Bern. They, too, fled from religious persecution. They set sail from Holland, stopped at New Castle for De Graffenried, and according to his statement he, with the Swiss, set sail for America in June 1710, arriving in Carolina about the middle of September of the same year. They landed in Virginia where De Graffenried was offered the place of Governor of North Carolina by a few Carolinians. They took nearly the same route followed by the Palatines, stopping at Thomas Pollock's home, then on to Chattawka.

[30] *C. R.*, Vol. I, p. 911.
[31] *C. R.*, Vol. I, p. 910.

Immediately upon his arrival he assigned each Palatine to his portion of land, and within eighteen months they had homes built that were comfortable. He also settled Chattawka after purchasing it from the Indians. He changed the name to New Bern in honor of the birthplace of himself and Mitchell, Bern in Switzerland.

In 1713 De Graffenried left the colony and went back to Europe. He took with him not only the money entrusted to him by the commissioners for the poor Palatines, but also he either took with him or spent before he left America eight hundred pounds sterling, for which he mortgaged his lands and those of the Palatines to Colonel Thomas Pollock and his heirs. Pollock offered, after the mortgage had expired, to give back the land if De Graffenried would pay him his money, which he would not do. The Palatines were thus left on the land of someone else. In 1714, right after the Indian war, which they had endured fairly well, and had prospered to a certain extent and increased in number, they petitioned the Lord Proprietors that each family might take up four hundred acres of land and might be allowed two years to pay for it. This was granted to them.[32]

The Palatines and Swiss, both industrious, religious, mild of temperament, established in Carolina a new spirit of freedom and formed a new and improved society. Both of them prospered and not only lived in Craven county, but increased and expanded their settlements into Jones and Carteret counties. Descendants of these Swiss and Palatines figured greatly in the early history of North Carolina. Some of them held the leading places in public life. Others were renowned for their part in the Revolutionary War and the events leading to it. I have in mind one, Richard Cogdell, a Swiss, who held offices in the Assembly, and was a leader in the Stamp Act Riot in New Bern, 1765. Indeed, their value to the province, in either a political, religious, or social view cannot be overestimated.

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[32] Hawks, Vol. II, p. 88.

The Palatines and Swiss were not, however, the only settlers Craven received in the year of 1710. In this year a colony of Welsh Quakers settled below New Bern, on Clubfoot and Hancock Creeks on the south side of the Neuse. Among these were Thomas and John Lovick, later prominent men, also Roger and Evan Jones.

Some names of the Swiss and Palatines who came to Craven, on a petition to the queen, 1711,[33] and some are still familiar in our county of Craven and its neighbors: Eslar (now Isler), Renege, Moor (now Moore), Eiback (Hypock) our present name of Ipock, Morris, Kensey, Wallis, Gernest, Miller, Walker, Simons (our present Simmons), all German. Of the Swiss we find Coxdaile (Cogdell), from whom on the maternal side descended the North Carolina branches of the families of Stanly and Badger.

RELATIONS WITH THE INDIANS

At first the people of North Carolina were welcomed by the Indians, especially the Tuscaroras, because of the rum that they brought to them. Again the Indians and white men were gainers in each one's own opinion from the trade carried on between them. In fact the relations with the Indians were as peaceful and profitable to the whites as could have been desired until the whites alienated them. For sixty years the Indians and whites lived together without war. This was partly due to the fact that the Indians who lived on the coast were divided into many small tribes without any powerful confederacy.[34] On every section of the banks there was a tribe. They had a plentiful supply of sea food and did not depend as much on game for a living as the Indians farther inland. Therefore they did not realize the value of land, nor its use until after the whites had made a settlement with determination to remain in Carolina. Another reason is that at first the whites came without any forces and put themselves, in a manner, on the good will of the Indians and begged instead of demanded land. But the one fault of the white man in dealing with the

[33] Vass, pp. 70-71.
[34] Williamson.

Indian was, as I have mentioned before, the selling of too much rum to him. In 1703 Daniels attempted to put a stop to this but with little success.[35]

The most powerful of all the Indian tribes which inhabited the eastern part of North Carolina was the Tuscaroras, who lived on the Taw (or Tar) and Neuse Rivers in what is now Bertie county and counties south of Albemarle, also on Pamlico River. At first they invited the whites, but soon looked on them with a bitter eye, as the whites took more and more of their lands and mistreated them in some few cases. They had in all twelve hundred men or warriors. Besides the Tuscaroras southeast of the sound were the tribes of the Neusicos, Pamlicos, Cotechneys, and (nearer the ocean) the Woccons, Maramiskeets, Matchapeengoes, Hatteras, Cores, Croatans, and Bear River Indians. The whole number of Indians able to take the field was about sixteen hundred.[36] The Indians who lived in Craven county were mostly the Cores, and Neuse, and a few Tuscaroras and Bear River Indians. Lawson says that owing to the plague which killed many of the Indians north of the Pamlico River, the Indians were the thickest on the Neuse, Trent and Pamlico Rivers.

As we have seen, the Indians first came in contact with the white man in 1651, when a party from below Norfolk were exploring Carolina. Next the hunters came in contact with them on the Neuse and Trent Rivers. The French in 1707 were welcomed by the Indians in Craven county, and when De Graffenried and his colonists came they received a warm reception at the hands of King Taylor and his warriors. They were met by this chief and his followers at what is now the foot of South Front Street, after exchanging greetings both parties went under two live oak trees, which were destroyed in 1841 by fire, where De Graffenried and King Taylor smoked the pipe of peace. Soon they made a treaty and De Graffenried purchased that land on which New Bern now stands from this chief. This transaction with the Indians helped to save the life of the Baron later. The Swiss and Palatines took them in trust, gave

[35] *Ibid.*, p. 186.
[36] Hawks, Vol. II, p. 527.

them work in their homes and on their plantations and bought some of their captives for slaves. The whites of New Bern and its vicinity even took the Indians and gave them bedding at night and food when they came to obtain provisions.[37]

The largest portion of the white population was north of Albemarle. The other portion was to be found in and about New Bern, over the country intervening between it and Washington, and up the Pamlico around Bath, in Jones on the Trent, then part of Craven precinct or Archdale precinct, and in Carteret between New Bern and Beaufort. The Swiss and Germans remained in and around New Bern.[38]

Before the Swiss arrived in New Bern, Cary had started his rebellion. He made so much trouble that the governor of Virginia, Spotswood, was sent to for aid. Aid was sent and Cary was captured and sent to England. It was not destruction that Cary and his followers themselves did that made things so bad, but their influence over the Indians was one of the main causes of the Indian massacre of 1711. Cary had three prominent adherents: John Porter, Mr. Moseley, and a man named Roach. These four men really put the notion of rebellion into the minds of the Indians. Besides the influence of Cary and his adherents, there were other causes that brought on the Indian massacre. One, as De Graffenried says, was the carelessness, negligence, and lack of precaution on the part of the Carolinians. Another was the rough treatment of some of the turbulent Carolinians, who cheated the Indians in trade and wouldn't allow them to hunt near their plantations, and under that pretense took away from them their game, arms, and ammunition. They even killed an Indian. This incensed them most of all.[39] Another was that the Indians by this time had begun to realize that their land was being occupied more rapidly every day.

The Indians could not stand this much longer. All they wanted was a leader. They found him in the chief of the Tuscaroras. He divided the Indian into different groups, so that many settlements could be attacked at the same time. The

[37] *Old Time Stories in North Carolina.*
[38] Hawks.
[39] *C. R.*, Vol. I, p. 922.

Cotechneys, who lived in what is now Green county, joined the Cores to do the work at New Bern and on the Neuse and Trent. The Maramiskeets and Matchapungees were assigned to Bath and its vicinity. The work on the Roanoke and Albemarle the Tuscaroras and Meherrins would do. The strange part about this confederacy and its intentions was that they kept them secret so that they were not known, nor was any evil suspected of them until its purpose was accomplished.

A few days before the massacre took place De Graffenried and Lawson, accompanied by a negro, started on a trip up Neuse River. They had travelled all day and it was near night when they were surrounded by a party of Indians and hurried to Catechna, King Hancock's town. Here they were cordially received by the chief, and it seems as if the three would have been liberated had it not been for a Core Indian reporting to the chief some minor insult that he had received from Lawson. Furthermore, the Indians held Lawson responsible for the coming of the whites and for their taking up the lands of the reds. Lawson and the negro were burned at the stake. De Graffenried made the reds believe that he was the King, and that his death would be avenged by other whites from across the ocean, and he reminded them also of the kindness that they had always received at the hands of the Swiss and Palatines, and that he had paid for, instead of stealing their lands. He was liberated after a stay during which he saw the Christian prisoners brought in from Pamlico, Neuse, and Trent. Before leaving he made a treaty with them which guaranteed the Swiss and Germans to be free from the Indian wars so long as they did not side with the other whites against them and so long as they treated the Indians rightly.[40]

On Friday, September twenty-first, a few days after the departure of Lawson and the Baron, the Indians, as they were accustomed, came into the settlements on the Pamlico, Neuse, and Trent,—only in larger numbers. The settlers did not suspect anything wrong. Just before daybreak, Saturday, September 22, 1711, the massacre began. Houses were burned,

[40] *C. R.*, Vol. I, p.935.

cattle driven off, people captured and killed. In the town of New Bern it was not so bad however. The people fled, leaving their homes and goods to the Indians, yet they were not troubled as the people in the vicinity. In and around New Bern there were sixty or seventy Palatines and Swiss murdered or captured. Yet the people of New Bern were not harmed half so much as the people around Bath. This massacre lasted for three days and nights.[41] It must have been the past conduct of De Graffenried towards the Indians that saved New Bern, because for twenty-two weeks after the beginning of the massacre New Bern stood armless, before any real aid came to the relief of the people. Then when the colonists were on the point of starvation, the Baron went to Virginia for aid and sent to South Carolina also for aid. What provisions the colonists obtained were from the Albemarle section. South Carolina was the first to respond. Immediately after receiving the summons for aid Colonel Barnwell, under the orders of the governor, with eight-hundred reds, mostly Yamasees, and about fifty militia started for the Neuse and the Trent.[42] After a long and hard march they arrived on the Neuse, received orders at New Bern, and marched against the Indians with such fury that they retreated until they reached a strong fort which they had erected in the upper part of Craven county. In addition to the South Carolina troops there were two hundred Englishmen and fifty Swiss and Germans under Colonel Mitchell. Upon reaching their fort the Indians received reinforcements and made a stand to fight the white. Barnwell, however, assaulted them so furiously that they were defeated with great slaughter. Three hundred or more were killed and one hundred captured, beside the wounded. The Indians retreated into the fort and after a siege, offered to make peace, which Barnwell, to his and the colonists sorrow, accepted. Because his terms were light, the Indians renewed the war immediately. If he had not made peace, the Indians would have been completely annihilated; for Colonel Mitchell, with his fifty Swiss and Germans had raised a battery within eleven yards of the fort and mounted it with two cannon. He

[41] Fitch, p. 26.
[42] *C. R.*, Vol. I, p. 934.

also surrounded a portion of the palisade with combustibles and was ready to open fire when peace was made.[43]

The Indians did not maintain their treaty but renewed war almost immediately. Barnwell returned home, and the colonists were left in a bad situation. Tom Blunt, through the efforts of Colonel Pollock, was attached, with a few of his followers, to the white side. In the latter part of 1712 Colonel Moore arrived with aid from South Carolina. After stopping in Craven for a short time, he went to Albemarle. On the 20th of March, 1713, he laid siege to the Indian stronghold Nahuck in Green county. Here he struck them such a blow that they never recovered. Soon after this siege the Indians scattered, and in 1715 the remaining Tuscaroras left the State and went to join their kinsmen, the Iroquois.[44]

From 1717 the relations with Indians in Craven county were merely those of master and slave, in fact, very few remained in the county. Craven, in the French and Indian War, however, furnished her share of the militia which went to help Washington, under Waddell and Innes, but which was sent back by the governor of Virginia.

The results of the Indian massacre and war of 1711 to 1713 were that the colonists in Craven were captured or driven from their homes, to which some returned. Most of their stock, provisions, and homes were destroyed. Indeed, it was a great discouragement to the young colonists. However, they stood it and were pleased when, by a petition, they received lands of their own.

After they became settled and had schools for their children, they attempted with some success to educate and Christianize their old enemies, the Indians.

RELIGION

The first inhabitants of Craven county were, as we have seen, only the hunter and straggling parties of Englishmen from Virginia and New England. Their aim in coming to North Car-

[43] Hawks, Vol. II, p. 539.
[44] *Ibid.*, 549.

olina was partly religious freedom. But, they did not bring with them ministers, and after remaining in the changed surroundings for a number of years they lost all of their former rites and worshipped God in their own way. A minister in Carolina was regarded with as much curiosity as we would regard an infidel today. These people who first came to Carolina were, before coming, Puritans, Quakers, and other dissenters.

In 1707 the first real religious settlers came to Craven county, the second such group that came to North Carolina. They were the French Protestants, who had fled from France for the one purpose of freedom of worship. They were of the Calvinist faith. They brought with them their minister, Claude Philippe de Richebourg. They were allowed at first the same privileges as the English, but soon the English became jealous of them and of their right to vote. This right was then taken away from them. They were religious and attempted to Christianize the Indians with some success.

The next settlers to come into Craven county were the Swiss and the Palatines. These came also for the purpose of religious freedom, they belonged to the reformed Church of Calvinists, and part of them were doubtless Lutherans. They were stout Christians. Therefore, in Craven county there were three groups of colonists, including the Swiss, who were of the Reformed Church, who were firm believers in the church and in Protestantism, while no other precinct or county had more than one. Therefore, Craven county was settled by more people of the church than any other county. It was the center of religion as it was the center of education and wealth, as we shall see later. During the colonial period there were many other colonists who came and settled in Craven. These were English, and a group of Germans in 1732.

As we have seen, the Proprietors promised freedom of worship to all settlers and the king promised toleration to all dissenters. Again, we have seen that the Proprietors desired to establish the English Church in Carolina, and some of the gov-

ernors attempted to carry out the desires of the Proprietors. In order to do this more easily, by the Vestry Act of 1705,[45] the province was divided into nine parishes. In 1701 it had been divided into precincts. Craven lay in St. Thomas parish. In 1705 Archdale parish was made, which included the whole of Craven county.[46] But since there were but few inhabitants in the Archdale parish, no steps were taken towards the establishment of the church. In 1715, owing to the rapid growth of the province in population, it was again divided by a new Vestry Act. Archdale precinct became Craven parish, which contained the territory around the Neuse and Trent, and to this all the southern settlements of the province were assigned, "Until further divisions were made." This time, by the Act, twelve vestrymen and a minister were appointed for each parish:[47]

CRAVEN VESTRYMEN

Col Tom Brice	Richard Graves	Thomas Smith
Major Wm. Hancock	Daniel McFarlin	Jos. Bell
John Nelson	John Smith	Martin Frank
John Slocumb	John MacKey	Jacob Sheets

These laymen were bound under oath and penalty according to the laws of England for vestrymen in that kingdom. Each one was also required to subscribe to a declaration that it was not lawful on "any pretense whatsoever to take up arms against the king," and "not oppugn the liturgy of the Church of England as it is by law established." These vestrymen, having thus qualified themselves to act, chose from their number two to act as wardens for a year. The statute enjoined the laymen to do their best to get good ministers, and authorized them by a tax per poll, not to exceed five shillings each on every taxable in the parish, to raise for the minister a salary of at least fifty pounds annually. But there was a proviso, that to entitle himself to his salary, he, the minister, should reside in his parish and not be absent over six Sundays, without a leave, in a year. He also had to perform all marriage ceremonies in the parish.[48]

[45] DeRossett, *Church Hist. of North Carolina*, p. 162.
[46] *C. R.*, Vol. XXIII, p. 6.
[47] *C. R.*, Vol. XXIII, p.6.
[48] Hawks, Vol. II, p. 170.

These two acts were not the only two acts passed to fasten on an unwilling people, by effective legislation, an Episcopal establishment with an adequate support by taxation. Other acts were passed in 1715, 1741, 1754, 1759, 1764-65. Taxes were imposed for purchasing ample glebes, building comfortable churches, and paying stipends to ministers, all of the establishment.

At first there were two classes who did not go by these laws: Quakers, to whom nothing at first was done, were allowed to hold meetings, but on account of oath these were kept from holding public office. Soon however, these were made to pay church taxes and to comply with the other laws. Protestant dissenters who came from England or the colonies in North Carolina were permitted to hold meetings, if in public, to be subject to all the English statutes touching the toleration of dissenters in the mother country. They were, however, in a short time deprived of the right of holding meetings, or of organizing.

There were many different sects in Craven county. First were the Puritans, who came, as before stated, from England, and also a large number from New Jersey. They came from 1707 steadily until after the war. Yet, they were never organized or established in the county. The next were the Quakers. The first large settlement of these came in 1710. They did not organize, but were "God-fearing" Quakers. They were persecuted by being kept out of office, and, by all calamities that befell the province being laid to the Quakers as the people responsible. Presbyterians were strong in Craven. The French were the first Presbyterians in the county, and some of the Swiss believed with them. This sect was strengthened by the Scotch-Irish who wandered, few in number, into Craven county. They did not have a church, but attended services with any denomination. They were moderate, industrious, and progressive, especially in education. On Christmas eve, 1739, Rev. George Whitefield arrived in New Bern. He preached there in the court house a sermon that made the congregation melt in tears. He was much grieved at the encouragement of dancing by the

ministers there. In November, 1764, he again visited New Bern. Here he met with what were called New Lights, or Presbyterians, in great numbers.[49] They were in the lead in number in 1765 and were strong during the whole colonial period. There were many Methodists in the county, but not organized. After New Bern was in a district and visited by Methodist preachers, about 1773, this sect increased rapidly. James Reed, the minister of the Established Church, says in a letter that he is trying to keep the Methodists down but meeting with little success. He also said that the greater part of the dissenters came from the North, and that they tried to run down the English Church. This was about 1763. The Methodists were of the more ignorant class. They did not organize until after the war. Catholics were few in number. In fact, there were not over ten in the whole county.[50] The Baptists came early in Craven county, and were strong. In 1740 they organized and asked permission, in the form of a petition, to be allowed to build a church in New Bern. This request was granted, but Purefoy and Slede were imprisoned for presenting a petition to the court.[51] But more probably they were imprisoned for charges of unlawfulness that had been before this time presented against them. This act was the only one of its kind in North Carolina,[52] upheld by the Toleration Act, intended for the punishment of the Catholics. The Baptists were, however, severely persecuted in Craven county but they increased all the more from it. They did not build a church until after 1776.

The Established, English or Episcopal Church was, as we have seen, supported by taxation. This was the only sect in Craven county who were really organized and had a church. From 1701-76 this church or religion, by the different Acts before mentioned was forced upon the people. By the Act of 1740 a tax of one shilling and six pence was laid on each taxable in Craven parish.[53] Their church was not completed until 1751 or later. The first minister of the English Church that I can find

[49] Vass p. 79.
[50] *C. R.*, Vol. VI, p. 265.
[51] Vass, p. 83.
[52] DeRossett, or Ashe, Vol. I.
[53] *C. R.*, Vol. XXIII, p. 141.

any trace of was the Rev. John Lapierre, who was ousted from New Hanover by Mr. Marsden. He went to New Bern about 1735 and remained until his death in 1755.[54] He was not engaged as a minister there by the laymen, although it is probable that he held meetings. This is proven by an Act of 1741[55] which enabled the laymen to spend the minister's salary on the church since they had not employed a minister.[56] By the Act preceding Craven county was made a parish with the name of "Christ Church parish." In 1753 the Rev. James Reed, who was a man of fine character, who was interested in the preaching of the gospel to the people, who did more than any other man in Craven county towards the establishment of the public school, especially the New Bern Academy, who in every way tried to help the progress of Craven county, came and settled in New Bern. Here, during the same year, he preached in the church every evening and at several of his chapels in the county. The vestrymen liked him so well that in 1754 they made an agreement with him, which was passed by the Assembly. This agreement provided for the payment of a salary of one hundred and thirty-three pounds, six shillings, and eight pence proclamation money to him annually, so long as he continued to hold services at New Bern and to attend the several chapels (which were eight) in the county, according to the terms of said agreement.[57] Mr. Reed remained in Craven county until his death, which was after the Revolution. During this time he did much towards establishing the people in the faith of the English Church. The people of Craven county did appreciate him and his work, and showed it by getting the Assembly to give him a fixed salary and by building for him a parsonage.[58] Indeed, he was the best minister in the province and fared better than any other.

The first members of the English Church in Craven county were some of the English from Virginia, the next were the Palatines and Swiss, who in belief were Lutherans and Calvinists, but as soon as settling in North Carolina applied to the Bishop

[54] *Ibid.*, p. 365.
[55] DeRosset, p. 69.
[56] *S. R.*, Vol. XXIII, p. 182.
[57] *S. R.*, Vol. XXIII, p. 420.
[58] *C. R.*, Vol. I, p. 756.

of London to allow them to be received into his church. And De Graffenried hoped that they would behave themselves as dutiful patrons of the English Church.[58] This sect was increased by Englishmen who steadily came into the county from after the massacre until the war. It was, in Craven county, the ruling church, but only by being forced upon the people. For, as we have seen, the New Lights or Presbyterians were in the lead there.

On the whole the religious conditions of the county were excellent in comparison with the other counties. Mr. Reed, in a letter to the secretary, dated June 26, 1760, said that he estimated that there were in the whole county about a thousand infidels and heathen and that the negroes were for the most part heathen.[59]

EDUCATION

The first people who came to Craven were not educated. They had only the education gained by all early pioneers. The French, German, and Swiss were more of the class of laboring people than of educated noblemen. They were indeed the most educated people in North Carolina at that time. They had educated ministers with them, and they were apt and quick to learn when the opportunity for study offered itself. We have no proof, but judging by the character of the people, and their purpose in coming to America, we are convinced that some steps were quickly, after settling, taken towards preparing schools for the children.

Craven county soon became the center of learning of the province, when New Bern was made the capital. Then the most learned people moved to Craven. Again, the people of Craven county were wealthy and hired private teachers for their children when they were young. When the boy was well enough fitted he was sent off to college, abroad or in the other colonies. The greater part of the boys who went to college from Craven entered Princeton.

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[59] *C. R.*, Vol. VI, p. 265.

In spite of Craven being the center of learning of the province, we do not find any efforts for a public school until 1764 on record. Yet, it is improbable to think that there were not some public schools in the province, because we hear every once in a while of the particular pains taken in educating the negro and Indian in Craven county. In 1764 we find the first public school. Rev. Mr. Reed wrote a letter, dated June 21, 1764, with this extract concerning the school at New Bern: "We have now the prospect of a very flourishing school in the town of New Bern, one which has been greatly wanted. In December Mr. Tomlinson, a young man who had kept a school in the county of Cumberland in England, came here at the invitation of his brother, an inhabitant of this parish. On the first of January he opened school in this county and immediately got as many scholars as he could instruct, and many more have lately offered than he can possibly take to do them justice. He has, therefore, sent to his friends in England to send him an assistant, and a subscription for a school house has been carried on with success. I have notes on hand payable to myself for upwards of two hundred pounds currency (120 lbs. sterling) to build a large and commodious schoolhouse in New Bern."[60]

In 1764 the Assembly passed an Act allowing a school house to be built in New Bern by a subscription of private citizens. This subscription was taken up by Mr. Reed, who was one of the most earnest promoters of the school. He first received the promise of the money and had great difficulty collecting it later. In May, 1765, a petition, signed by Mr. Reed, and thirty-nine principal inhabitants of New Bern and the vicinity, was sent to Governor Tryon, requesting him to represent to the Society for the Propagation of the Gospel the earnest desire of the petitioners that the Society would assist them by granting Mr. Tomlinson an annual stipend, in order that he might be able to continue in New Bern and instruct their children, "in such branches of useful learning as are necessary in several of the offices and stations in life, and imprint on their tender minds the principles of the Christian religion agreeable to the Estab-

[60] *C. R.*, Vol I, p. 1,048.

lished Church of England." The memorial is signed by the following names: James Reed, missionary, Thos. C. Howard, Samuel Cornell, John Williams, Richard Cogdell, James Davis, Peter Cornwell, John Clitherall, Jacob Blunt, Richard Ellis, John Franck, Thos. Pollock, Bernard Parkinson, Wm. Wilton, Christ. Neale, Thos. Sitgreaves, Corn. Grosnendeyk, Jno. Green, John Fonville, Longfield Cox and many others.[61]

Governor Tryon forwarded this petition to the Society with his hearty approval, giving Mr. Tomlinson a high character. The Society granted him a yearly stipend of ten pounds at first, and later fifteen. Before this, he had been receiving from his thirty students sixty pounds sterling all told annually.[62]

The property of the school building was taken from the church which was changed for a lot better situated on the corner of Pollock and Craven Streets. There was probably only one building used as school house and residence of the instructor.[63] The building was started in 1765, and in 1766 we find a letter of Mr. Reed to the secretary of the Society that the building is going on slowly. In July of the same year, he writes that the house has been closed in and that the slow progress is due to the lack of money, men, and materials,—money particularly. The floors were still to be laid and the chimney to be built. That the work might not stop at this stage he drew upon the treasurer of the Society for his salary for the preceding half year, and sent the draft to New York to buy bricks for the chimney. Besides that, he made every attempt to raise more money by subscriptions.

The school house when completed was a frame structure forty-five feet long and thirty feet wide. It is probable that Mr. Tomlinson moved into this building the last of 1766 or the beginning of 1767. The school was incorporated by an Act of the Assembly in 1766.[64] The Act directed that the subscribers of the Academy Fund should hold a meeting on the first Tuesday in April, 1767, when they should elect eleven men of their

[61] DeRossett, *Church History*, pp. 172-3.
[62] *C. R.*, Vol. VII, p. 98.
[63] DeRossett, p. 172.
[64] Moore, p. 44.

number to form a board of trustees. These trustees, when thus elected, were to constitute a closed corporation to hold the property of the school and to manage its affairs under the name and style of the "Incorporated Society for Promoting and Establishing the Public School in New Bern." The second section provides that the master shall be a member of the Episcopal Church, chosen by the trustees and licensed by the governor.

The Act further provides for an extra tax on distilled spirits of one penny per gallon on all imported into the Neuse and Trent Rivers, for the purpose of the support of the school at New Bern.[65] The main object of this special tax was to pay Mr. Tomlinson twenty pounds yearly towards the salary of an assistant teacher. This Act was continued in force for seven years. In consideration for the revenue thus granted to the school ten poor children, whose parents were unable to pay their tuition, should be nominated by the trustees and these children were to receive the benefits of the school free of charge. This is the only public provision ever made for the school. In 1768 Mr. Reed estimated that this duty on spirits would yield an annual income of sixty pounds, which would be sufficient to pay Mr. Tomlinson twenty pounds towards the salary of his assistant and also to supply during the seven years of his continuance a fund which would pay off all indebtedness of the trustees and enable them to complete the building.[66] Besides this revenue the trustees received from the Assembly twenty pounds to hold their meetings in a room of the school building. From 1769 to 1761 they received forty pounds annually from the same source.[67] Also there was another small income available for the purposes of the school. There were two half cut off lots from the church yard which were leased out for twenty-one years and constituted the beginning of a fund intended for the permanent endowment of the Academy. All this revenue for the school amounted to more than was expected. In March, 1772, Mr. Reed sent the following account of the income and expense of the school for the preceding three years:

[65] *C. R.*, Vol. VII, p. 443.
[66] DeRossett, p. 175.
[67] *Ibid.*, p. 176.

Cr.

By net proceeds for duty on liquors		£ 247,11, 4
Rent of school chamber by Assembly		£ 100,00, 0
Ground rent, first payment 1771		£ 19,10, 0
		£ 367,01, 4
Annual Income		£ 122,07, 1

Dr.

To assistant master	£ 20,00, 0	
Poor scholars, ten at £4	£ 40,00, 0	
Books, paper, and firewood	£ 10,00, 0	
Total	£ 70,00, 0	
Balance for repairs	£ 52,07, 1	
Expense	£ 122,07, 1	

This revenue was allowed by the Assembly in payment for the good the public received from the school.

This school was the first of its kind in the colony, and the first school house established in the province by legislative authority. This school was kept open for many years after the war. But the school lost its first teacher, Mr. Tomlinson, by an act of injustice on the part of the trustees. Mr. Reed, in several letters, took the part of the instructor. He had been an admirable teacher and master of the school, according to Mr. Reed, but he believed in making the students behave and study and when they did not do this he used the only known method of compelling them to do so,—that was the switch. This offended the parents of some of the students, who were members of the board of trustees. These, according to Mr. Tomlinson, stopped his pay and he had to sue for it. The trustees discharged him, but Mr. Parrott, who was to succeed him, refused to accept the place after learning how Mr. Tomlinson had been treated, and so Mr. Tomlinson kept the school until he voluntarily retired. His retirement, according to his own letters, was caused by the action of the trustees. During the year of 1772 he left New Bern and removed to Rhode Island. Not only did Mr. Reed take sides with Tomlinson, but also Governor Martin went so far as to say that he wished that the Act incorporating the trustees would

be repealed for their conduct.[68] The people of New Bern and its vicinity drove away one of their best citizens.

De Rossett says: "Mr. Tomlinson must be placed at the head of the line of professional teachers whose work has gone into the history of North Carolina. There had been ministers, before his day, or contemporary with him, who, acting also as school teachers, had done and were doing an incalculable work for the State, which was to be in training to guide and govern it in its development to wealth and power, but so far as the writer is informed, Mr. Tomlinson was the first professional teacher who had under his training a large element of the youth of the colony. New Bern and the district about it were fruitful of men of eminence and of influence in the end of the eighteenth and the beginning of the nineteenth centuries. Many of these must have laid the foundation of their intellectual and moral training in the New Bern Academy between the years 1764 and 1772, while Mr. Tomlinson presided as master."[69] Governor Tryon said of Mr. Tomlinson that he was the only man in the county who was a true professional school teacher. Not only was Mr. Tomlinson a great professional character in his business, but a good member of society. When North Carolina lost him it lost one of its greatest benefactors.

The New Bern Academy was established and managed according to the orders of the Church of England. The minister was the main founder of it. Mr. James Reed and the master were compelled to be members of the English Church. Yet, the people did not look upon it with any prejudice because it was a church school. This fact is shown by the names of the most prominent men of the province and county being on the list of subscribers, also as trustees and as petitioners for the salary given to Mr. Tomlinson by the Society. Again, the children of the most prominent men in the province attended school there under Mr. Tomlinson and his assistant, Mr. James McCartney. In fact, this school had the hearty support of all the people of North Carolina.

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[68] DeRossett, p. 176.
[69] *Ibid.*, p. 177.

This school established in New Bern in 1764 has had more influence upon the history of the early state of North Carolina than any other institution save the University. It is a fact that the leading men of the State from 1790 to 1835 came from the eastern part around New Bern, Cape Fear, and Edenton. The majority of these men received the foundation of their training at the New Bern Academy. Too little space is given in history to that mother of schools in North Carolina.

TRYON

INCLUDING A BRIEF SKETCH OF REGULATION MOVEMENT AS FAR AS IT CONCERNED CRAVEN COUNTY

In 1764 Governor Dobbs, failing in health, was relieved of his more active duties of office, they being placed upon William Tryon, who was made lieutenant-governor of North Carolina. But Governor Dobbs never left Carolina, as he intended, for in the spring of 1765 he died, and Tryon was made temporary governor of the colony until the fall. At this time he was made permanent governor by the king. He first lived in Brunswick, but later, after having his palace built in New Bern, lived there during the remainder of his stay in North Carolina.

Tryon as a man is well described by Fitch, thus: "Tryon was a soldier by profession and looked upon the sword as the true sceptre of the government. He knew when to flatter and when to threaten; he knew when discretion was the better part of valor, and when to use such force and cruelty as achieved for him from the Cherokee Indians the bloody title of 'The Great Wolf of North Carolina.' He could use courtesy towards the assembly room when he desired large appropriations for his palace; and he knew how to bring to bear blandishments of the female society of his family, and all the appliances of generous hospitality. Indeed, he did know how to bring to bear blandishments of the female society of his family."[70] It is said and believed by many people that his wife and her sister, Miss Wake,

[70] Fitch, p. 30.

who made her home with the governor, helped and advised him in all his plans, either social or political. Mrs. Tryon and her sisters are spoken of by all the older historians as being charming and entertaining ladies.[71] Anyway, they had a great deal of influence over the governor, and over the social circles of the capital of the province. Miss Wake was honored by the people of Carolina by their giving her name to one of the now metropolitan counties of North Carolina. The name of the county of Tryon was changed after the Revolutionary War, but Wake county is still a memorial to his sister-in-law.

Tryon, with all the good influences around him, denied the western counties their rights. Dr. Williamson says it was a good thing for the western counties that Tryon was not bigoted. He was not an ideal governor, but he was undoubtedly the best governor who had ruled the province up to this time and up to the War of Independence. He did punish the western counties for the failure of officers to do their duty. But despite that he did more for the province than anyone before him. He was one of the main advocates for the establishment of the public school in New Bern, and partly through his efforts the Assembly chartered the Academy in 1766. He also sent several petitions to the Society for the aid of the church and schools in the province. It was indeed his misfortune that he had, in order to keep his governorship, to collect taxes, to enforce the navigation acts, and to press the Stamp Act upon the people.

The one thing that he cannot be excused of is his attitude toward the regulators. He allowed them representatives in the Assembly until Herman Husband, the representative from Orange county, when asked why his people did not pay their taxes, threw the tax money on the table before the governor and remarked: "I brought it to keep it from dwindling, seeing that when passing through so many fingers it, like a cake of soap, grows less at each handling." Tryon eyed him, and after the disapproval of his council, had Chief Justice Howard, who was a member of the council, to issue a warrant for his apprehension, and had him placed in the jail at New Bern where he was con-

[71] Moore, p. 41.

fined for a few days. He was released only when the governor heard that two hundred regulators had crossed Haw River and were marching to New Bern to free him.[72] In fact, the governor had fortifications erected and Colonel Leach with his troops placed in the trenches to protect New Bern from the Regulators. Tryon, in order to have a secure hold on him, brought an indictment against him that he might have him tried in New Bern by a grand jury of the New Bern precinct. This jury failed to find a bill against Husband and he was dismissed. Even though the governor used his greatest energy against him, and, for the purpose of turning the people of the east,—especially Craven,—against the Regulators it took him from April, 1769, to February, 1771, to find a jury who returned a true bill against Husband.[73]

Again, the existing conditions in each part were different without any communication. Tryon, the hater of the Regulators, lived in the east and practically controlled many of the leaders. The people of Craven county were not expected to show sympathy for the people of the west, since Tryon lived in the east. Yet besides the refusal to find a true bill against Husband by the people of New Bern district, the militia of Craven county for three days refused to march against him. Tryon, speaking of the Craven militia, said that the militia was not to be relied upon.[74] In 1770 Tryon started his campaign against the Regulators in earnest. The militia of Craven and Beaufort under Leach formed the right wing of the front. Craven in all had four companies of infantry and one of artillery. These played a conspicuous part in the whole campaign of Tryon. Several members of the militia from Craven county were killed in the battle of Alamance. One officer that was killed there was ensign William Bryan, of Craven county.

TRYON'S PALACE

On November 24, 1766, the Assembly passed a bill for the erection of a convenient building within the town of New Bern for the residence of the governor and commander-in-chief for the

[72] *C. R.*, Vol. VIII, p. 500.
[73] *Ibid.*, p. iv.
[74] *C. R.*, Vol. VIII, p. 546.

time being.[75] This bill was said to have been suggested by the king first, but Tryon was the main power that pushed it through the Assembly with the aid of his friends and relations. The execution of the bill was put under his orders and directions solely.[76] The governor's tastes and desires for luxury were paid for by the collection of almost intolerable taxes from the people of the province, who had few resources and less money. The building of the palace had many results. First, it made the people of both the east and west look upon Tryon as a man seeking only self-elevation, and caused them to complain bitterly against the taxes. This was the first step that led the people to revolt so soon against the undue oppression of the king. It was a great thing for New Bern and Craven county because it brought the officials of the province into the county and made the social circles of Craven the best in the province. Again, it brought trade to New Bern and put some little money into circulation. Also, it helped to make Tryon known to all America.

Tryon estimated that it would cost about £14,710, but when the building was completed it was at an expense of £17,845 besides the furniture. When it was finished and the governor moved in, it had cost the people of North Carolina at least £20,000,—or $100,000. Tryon procured John Hawkes to superintend the construction of it. He had come to America with Tryon and was a near relative to the Dr. Hawks, historian, who lived in New Bern.[77] Skilled artisans came from Philadelphia to do the work. The work on the mansion began August 26, 1767. In December Tryon reported that the work was being steadily pushed ahead for completion. And in October, 1770, it was completed and the governor moved in. In January the public records were moved into the palace.[78]

It was situated on a square of six acres condemned land bounded by Eden, Metcalf, and Pollock Streets and Trent River.[79] The present George Street was part of the walk that led to the main building.

[75] *Ibid.*, Vol. VII, p. 320.
[76] *Ibid.*, p. 266.
[77] Haywood, 64.
[78] *C. R.*, Vol. VII, p. 695.
[79] Vass, p. 90.

Almost all the material came from England, especially bricks and prepared material. Even the plumbers and their lead to the amount of eight tons came from London.[80]

The contract that was made called for a two-story main building, but by the authority of some one it was made a three-story one, eighty-seven feet high in front, and fifty-nine feet wide. This main building was the governor's headquarters, the right wing a two-story building of some expensive material and workmanship was the secretary's office. The left wing resembling the right in every particular was the servant's headquarters. The three buildings were connected by covered colonnades, of five columns each. "Between the two wings in front of the main building was a handsome court. The rear of the building was finished in the style of the Mansion House in London.[81] The ends of the buildings were beautifully decorated with statues, and other work of sculpture. Marble from Italy was not spared, because of price, but used freely. The ball room was not forgotten, because it was there that Tryon, as Maurice Moore says, acted too much like a ruler. In the council chamber there was a handsomely-designed chimney piece, containing decorations of Ionic statuary, with columns of Sienna, the fretwork of frieze being also inlaid with the latter material. In addition to this, and above the whole, were richly ornamental marble tablets, on which were the medallions of King George and his queen.[82]

Over the door of antechamber was a Latin verse showing that it was dedicated to Sir William Draper, in translation by Martin Means; it read:

> "In the reign of a monarch, who goodness disclosed,
> A free happy people, to dread tyrants opposed,
> Have to virtue and merit erected this dome;
> May the owner and household make the loved home,
> Where religion, the arts and laws may invite,
> Future ages to live in sweet peace and delight."[83]

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[80] *C. R.*, Vol. VIII. pp. 7-8.
[81] Vass, p. 91.
[82] Haywood, p. 65.
[83] *Ibid.*

The main part and left wing were burned in 1798. The right wing remains today, and is used as a residence by a family named Duffy.

This palace was by far the most splendid in North America, and if we can believe the unfortunate General Don Francisco de Miranda, of South America, who visited the edifice in 1783, in company of Judge Martin, there was not one in South America which could come up with it. He said: "Even in South America, a land of palaces, it has no equal."[84] Tryon only enjoyed his mansion a year when he went to New York.

NEW BERN

New Bern, the county seat of Craven county and the capital of the province for many years was the largest town in North Carolina up until the war and afterwards. In 1777, Mr. Watson on his journey passed through New Bern said then there were about a hundred and fifty houses. In 1796 Mr. Winterbothan says, "New Bern is the largest town in the State. It contains about four hundred houses all built of wood save the palace, jail, church and two residences. . . . The Episcopal Church is a small brick building with a bell."[85]

New Bern is thought to have been laid off in May or June, 1710, by Colonel Thomas Pollock and John Lawson. It is situated on a neck of land at the confluence of the Neuse and Trent Rivers. It is bounded on one side by the Neuse and on the other by the Trent, and on the back by Jack Smith Creek. The place was formerly called Chattawka from the Indians who lived there and who were in alliance with the Tuscaroras, with whom, in 1715, they went to New York.[86] De Graffenried purchased it from King Taylor and changed the name to New Bern in honor of his and Mitchell's birthplace. For the first year it seems that things went well with New Bern, other settlers besides the Swiss and Palatines, chiefly English, settled there and there was a decided step forward in prosperity.[87] The people of New Bern

[84] Fitch, p. 45.
[85] Winterbothan History of N. C., Vol. III, p. 199.
[86] *North Carolina Booklet*, Vol. I, p. 12.
[87] *Ibid.*

received a severe blow by the Indian massacre of 1711, but recovered. In 1714 De Graffenried mortgaged the land on which New Bern stands to Thomas Pollock for the sum of eight hundred pounds. Pollock willed it to his son Cullen.[88] As soon as De Graffenried mortgaged his land he left for England, leaving the colony in a bad condition. The colonists were sorry to see him leave but the town which he had founded did not languish under the new regime. Houses were built, streets were laid off and fields cleared, soon houses stretched from one river to the other.

In 1723 New Bern was fixed as seat of Craven precinct and a bill passed the Assembly for the building of a court house there. In 1723 New Bern was incorporated as the third town in the province and was really the only town, since, as Dr. Hawks says, Bath was only a hamlet and Edenton was smaller than it.

In 1729 New Bern remained the county seat. In 1736 the quit rents of both Craven and Carteret counties were paid at New Bern in gold or silver.[89] New Bern was the seat of all courts, the supreme court of Craven, Carteret, Johnston, Beaufort and Hyde. The Court of Chancery was held in New Bern on the first Tuesday in December and June. This was started in 1736 by Governor Johnston. The courts of Oyer and Terminer were held there also on the third Tuesday in April and October. It was there that the land office was kept open for three weeks so that the governor could listen to and settle land disputes.

In a letter of Governor Johnston, dated 1763, he says, "But I hope we shall be more regular for the future, for in a recent Assembly held at Wilmington I have got a law passed for fixing the seat of government at New Bern, and a tax for a public building."[90] Before the passage of this bill the Assembly and courts had been held at Edenton, near the border of Virginia, while the representatives were mostly from Cape Fear section. The governor attended several of the meetings but he could not force the majority of the council to leave

[89] *C. R.*, Vol. IV, p. 186.
[90] *Ibid.*, 844.

their business and plantations for three times a year and travel backward and forward twelve hundred miles when they had neither salary nor reward for so doing. This was the main reason why he got the law passed at Wilmington for fixing the General Assembly and courts at New Bern, the center of the province. The passage of this bill caused a disturbance in several places.[91] Bath, Wilmington, and Edenton all were jealous of New Bern. Each wanted to be the capital of the province.

The Assembly met for the first time in New Bern in 1736 and continued to meet there until about 1749.

New Bern flourished while it was the capital, many rich merchants lived there. The best people of the province moved there. Trade increased and the town grew at a rapid rate. But as soon as the public business was carried away complaints were heard among its people which is shown by an extract from a letter by John Campbell to Richard Cogdell of New Bern dated 1761.[92]

"The account of the dullness of your town and business in it I am sorry for, but the thinking people in it and about it must thank themselves who drove away the government officers. These people could not bear a little flow of money, but grew so proud and insolent. They will feel the reverse and now may reflect on themselves when too late."

It is true that the people of New Bern did not take the interest they should have in preparing for the officers. Governor Johnston says in a letter dated December 28, 1748, "One mighty inconvenience we have to struggle with at present is that nobody cares to lay in provisions for man or horse at New Bern though it is the most fruitful and central part of the province, such pains are taken to assure the people that the seat of government will be removed, when they get five members restored, but no one cares for advancing money to entertain the public, so that in a fortnight or three weeks' time we are obliged to separate for want of the necessaries of life. Things would soon take another change if this point was determined."[93] The inhabitants

[91] *C. R.*, Vol. IV, p. 1086.
[92] *Ibid.*, p. 844.
[93] *C. R.*, Vol. 4, p. 1166.

of New Bern did not realize what was the benefit of being the capital until it was removed, which took place between 1746 and 1750. Between 1750 and 1762 the Assembly was held in no special town. When Dobbs became governor he appointed Tower Hill on the Neuse as capital in 1758. The people petitioned the king to make New Bern capital again because it was more central, better located and had better navigation facilities than Tower Hill.[94] Yet some people objected to having it for capital because of its hot climate and unhealthy atmosphere. Finally in 1766 New Bern was selected as the permanent capital of North Carolina and the palace was built there.[95]

The effects of the capital being moved there were immediately felt. In 1767 we have a report which says that trade was increasing rapidly.[96] In 1772, two years after the palace was completed, Tryon says, "New Bern is growing rapidly into significance in spite of the great natural difficulties of the navigation leading to it, and its importance, I hope, will become greater as the spirit of improvement."[97] New Bern had a large trade, its harbor was always full of boats or vessels from Virginia, Bermuda and the West Indies and New England. It exported great quantities of tar, pitch, turpentine and other naval supplies direct to England, also large quantities of corn, beeswax, hams, and deerskins were shipped from New Bern.[98] New Bern was on a post road which began at Suffolk, Virginia, came down by Roanoke, Pamlico River, Bath, through New Bern on to South Carolina by New River, Wilmington and Brunswick. Thirty-eight miles of this route was in Mr. James Davis' charge for mails. For his service he received annually one hundred and six pounds, six shillings and eight pence.

On August 15, 1769, a terrible storm struck New Bern. The banks of the rivers were washed down, warehouses were smashed open and their goods floated away. Some three persons were killed. One man, describing it to a friend, says: "New Bern is really now a spectacle, her streets full of the tops of houses,

[94] *Ibid.*, Vol. 6, p. 875.
[95] *Ibid.*, Vol. 7, p. 44.
[96] *Ibid.*, p. 499.
[97] *Ibid.*, Vol. 9, p. 281.
[98] Vass, p. 89.

timbers, shingles, dry goods, barrels, and hogsheads, most of them empty rubbish, in so much you can hardly pass along,—a few days ago so flourishing."[99] Crops, cattle, sheep, hogs, were washed away and destroyed. There was no place on the coast that suffered like New Bern. One entire street was destroyed. The printing office of Mr. James Davis was destroyed with all the type, papers, and what money he had. New Bern was not able to pay the expenses of this storm for a while, but soon caught up and surpassed her former position.

New Bern besides her commercial business had other businesses, namely, manufacturing. In 1772 Mr. Richard Graham set up a pot and pearlash factory which helped New Bern greatly. In 1775 New Bern had one of the only two rum distilleries in North Carolina, it turned out annually two hundred hogsheads of rum, made from molasses. The other one was at Wilmington and had a capacity of five hundreds hogsheads annually.[100]

New Bern was not only the largest town in the province, the seat of the government, the great commercial and manufacturing town, but also the seat of the best education, religion, and social circle of the province.

In 1767 the New Bern Academy was chartered, which was in New Bern, and the first of its kind in the province. Also there were several private schools there.

The social circle of New Bern was composed of the government officials, rich merchants and the wealthiest people of the province.

The people of New Bern were as we shall see ready to rebel against unjust oppression. Here happened in 1765 the New Bern Stamp Act Riot. In 1775 the people seized the guns from the palace court. And in 1775 the first two provincial congresses were held there. New Bern indeed played a great part in the history of Craven county, of North Carolina, both before and after the War of Independence.

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[99] *C. R.*, Vol. VIII, p. 74.
[100] *C. R.*, Vol. VIII, pp. 1, 4.

PEOPLE OF CRAVEN COUNTY

The first people of Craven County, as we have seen, were half wild northern hunters, as I have found the Blounts. These were as free as the country in which they lived. Brave, bold, and not to be oppressed were the qualities or characteristics of these early hunters and scattered families. They lived mostly on game from the forest and fish from the rivers. These were obtained with little effort and did not encourage thrift and activeness in the people. These were the only inhabitants until 1707, except a few English who strayed across the Neuse after 1690.

The first real colony that settled in Craven was the French Protestants, which in 1690 fled from France to Virginia because of religious persecution, thence to Craven, because of its wealth in soil, plants, game, and freedom. They brought their ministers with them. These French settlers were a religious, God-fearing, liberty-loving people. They were, as a whole, industrious and thrifty. Lawson says that they were indeed a very industrious people,[101] soberly behaved, and having the advantages of education and being very bright. In general the women were the most industrious sex in that place, and saved money by making their linens and woolens. The men were aided by nature to such an extent that they did not have to labor hard to provide for their families.

The next, as we have seen, were the German Palatines,—a practical, smart, determined, and free people. Their object in coming was religious freedom and personal liberty. In company with them were the Swiss, from the fatherland of democracy, a free country, a free people. Indeed, they were the most liberty-loving people of all the colonists. They were also religious, God-fearing people. They, too, were an industrious, capable people. In the same year with the Swiss came the small groups of Welsh Quakers and settled in Craven.

After 1710 the new colonists of Craven were English, except in 1732 another cluster of German immigrants landed in New

[101] Lawson, p. 141.

Bern. The English need no description by me, their characteristics being well known.

Here in such a small extent of territory as colonial Craven county were four elements that, if mixed, would be the best mixture that could be made. They did mix, and they did make one of the most religious, liberty-loving people that have been found in the colonies, although each race produced its great men of Craven county in North Carolina.

Bancroft says: "North Carolina was settled by the freest of the free, bravest of the brave. The settlers were gentle in their tempers, of serene minds, enemies to violence and bloodshed."[102] "North Carolina was the most free and independent country ever organized by man. Freedom of conscience, exempted from taxes save by their own consent . . . these simple people were as free as the air of their country, and when oppressed, as rough as the billows of the ocean."

The people of Craven county submitted to the laws of British rule so long as they were just, but as soon as their rights were stepped upon that spirit of freedom broke forth first in the Stamp Act Riot of 1765, and continued to show itself throughout the war, and still shows itself.

The people of Craven county, as in the other sections of the province, were divided into three classes: First, the educated abroad before or after coming to America. Craven had more of this class than the other counties of Carolina because all the government offices were there. Second, were the men who had made fortunes in land or such. Craven had many of these, especially rich merchants and land-owners, and with that many slaves. We find from reading the wills that this class was predominant in Craven. Third, the common people, farmers and so forth, Craven had her share of these.[103]

Life in Craven, as well as in the other eastern counties, was gay. The log houses of the first settlers by 1729 were mostly done away with and in their places were the frame and brick houses. These houses soon were well furnished, and silver

[102] Fitch p. 25.
[103] Hawks, II, p. 572.

spoons and other such articles were often seen. The stables were full of horses for riding purposes. And nature furnished the eatables with no lax hand. Among the first and second class wealth abounded and was appreciated. But in all the classes hospitality was unbounded, and weddings and other social occasions were largely attended. New Bern was the residence of the higher class, who attended the splendid balls given by Tryon, and those, in return, given by the rich merchants. In fact, New Bern was the gayest, liveliest, and busiest town in the province. Imported wines, rum from the West Indies, and negro fiddlers added charms to the midnight revelry of all classes. The curled and powdered gentlemen and the ladies in their hoops were never so pleased as in walking a minuet or betting at a rubber of whist. Horse racing and fox chasing were in high favor as a pastime.

The roads to Craven and other counties were very bad. There was a road from New Bern to Bath. Communication was bad, but the people from all the sections of the country overcame the difficulties and went to New Bern to see and take part in the balls given by Tryon. Craven county, after 1736, was the center of gaiety. Even though it seemed as if the people of Craven were given to too much revelry, they were not taken up so much with it that they did not flourish in wealth, number, and moral laws.

WAR MOVEMENTS

We are not surprised in finding the people of eastern North Carolina, especially those of Craven county, revolting against oppression since they were people of such traits of character as we have seen in the previous chapter. In Craven one of the first actions against unjust taxation leaning towards force took place.

Between 1735 and 1740, when Johnston was governor, Granville's land agents were making trouble with the colonists, and lawful taxes were doubled many times. The currency was scarce, and gold and silver were hardly ever seen and not enough English money to pay the taxes. Contentions frequently arose be-

tween the rulers and the ruled. When Tryon came, although he was a good ruler in some respects, he made the burden of the colonists more grievous. In the year 1765 the British Parliament passed the odious "Stamp Act," another source of obtaining money from the colonists without their consent. This was more than the liberty-loving people of eastern North Carolina could bear. Meetings were held from one end of the province to the other, in which they expressed their indignation and declared that they would not submit to the law.

The speaker in the Assembly told the governor that the law would be resisted to "blood and death." All this had to have a climax which was brought about by the citizens of Cape Fear combined with those of New Bern, under the lead of Colonel Ashe and Waddell, both of New Hanover.

The Stamp Act was passed and was attempted to be enforced. Dr. William Houston was appointed stamp distributor of Carolina and he came to North Carolina as the guest of Governor Tryon. The people of New Hanover learned of his presence in Brunswick. Immediately a body of men under Ashe and Waddell marched to Brunswick. There they went to the house of Tryon, surrounded it, and demanded to speak with the stamp agent. Tryon at first refused to allow this. Preparations were made to set his house on fire and he realized that the people were in earnest and he invited Colonel Ashe or Waddell into his residence. He boldly entered and in a few minutes returned with the stamp distributor. Tryon was made a prisoner in his own home, while Houston was hurried to Wilmington, where he resigned as stamp agent and took an oath never to sell another stamp. This occurred on November 14, 1765.[104] The next day, November 15, 1765, the people of New Bern and its vicinity had became so enraged that encouraged by the actions of the Cape Fear people they gathered into a mob, while the Superior Court was being held they tried, condemned, hanged, and burned Dr. William Houston in effigy. A riot followed in which no great damage was done. This riot is known as the

[104] Fitch, p. 36.

New Bern riot of 1765. Not only in Craven, but elsewhere was the same thing done. From an extract of a letter in C. R. Vol. VII, p. 125, we find: "We hear from the inhabitants of that place (New Bern) that they tried, condemned, hanged, and burned Dr. William Houston in effigy, during the sitting of their Superior Court. . . . Also it happened in Wilmington . . . At Cross Creek 'tis said they hanged his effigy and McCarter's together (who murdered his wife). Nor have they spared him in Duplin, his own county."

In 1774 the Boston Port Bill was passed, which caused the port of Boston to be closed. Soon a cry for aid was sent out by the people of Boston. The people of New Bern and Craven county quickly responded. A great deal of provisions were collected from Craven and sent to Salem for the relief of Boston. On January 27, 1775, we find this notice in the Gazette: "Public notice is hereby given that Mr. John Green and Mr. John Wright Stanley, merchants in New Bern, have agreed with and are appointed by the committee of Craven county to receive the subscriptions which are now or may hereafter be raised in the said county for the relief of the distressed inhabitants of Boston, and to ship the same to Salem as soon as the several subscriptions are received.

"Proper stores are provided for by the said gentlemen for the reception of corn, peas, pork, and such articles as the subscribers may choose to pay their subscription in.

"Those gentlemen, therefore, who have taken subscriptions either in money or effects, are desired to direct the same to be paid or delivered to the above Messrs. Green and Stanley on or before the middle of March next, and to send as soon as possible an account of the subscriptions to be taken and are taken by which they may be governed in receiving.—R. Cogdell, Chairman."[105]

On August 26, 1774, the first provincial congress was held. At first it was planned to be held at Johnston Court House, but it was changed and held in New Bern at the above date. Craven had four members: Coor, Cogdell, Abner Nash, and Edwards.

[105] *C. R.*, Vol. IX, p. xxxviii.

This Congress met in spite of the orders of Governor Martin forbidding such a meeting.[106]

On August 9, 1774, the Friends of American Liberty called a meeting of the people of Craven county at New Bern. In this meeting members for the provincial congress were elected.[107]

The second provincial congress was held on April 3, 1775, at New Bern. Craven was represented by James Coor, Lemuel Hatch, Jacob Blunt, William Bryan, Richard Cogdell, Jacob Leach. New Bern by Abner Nash and James Davis. At the third provincial congress held at Hillsboro August 20, 1775, Craven was represented by Coor, Bryan, Cogdell, Leach, Blunt, and Edmond Hatch, New Bern, by Nash, Davis, William Tisdale, and Richard Ellis. At the fourth one held at Halifax, April 4, 1776, Craven was represented by the same men as at Hillsboro. New Bern only sent one, Abner Nash. In each of these congresses the representatives of Craven and New Bern took an active part.

On May 23, 1775, right after the news of the battle of Lexington had reached New Bern, the commmittee of safety, which consisted of Dr. Alex Gaston, Richard Cogdell, John Easton, Major Croom, Roger Ormond, Edward Saltee, George Burrow, and James Glasgow, led by Cogdell, and backed up by the entire population of Craven county, waited upon the governor. Their mission was to ask him to remount the cannon that were in the town and at the palace. Martin had had them dismounted because he had heard that the committee was to sieze them as was done later. He prevaricated, however, as to his purpose, and seemingly satisfied the committee for the moment, but only for the moment as he well knew.

Martin realized that the end had fully come; he saw that without a man or a gun he was no longer a governor but was a prisoner in his own palace under strictest surveillance, and that his only resort was immediate flight. Therefore he immediately

[106] *Ibid.* p. xxv.
[107] *Ibid.*, p. 1041.

shipped his family to New York and almost at the same time sought safety under the protection of the British boats in the Cape Fear. In less than four years from his coming as governor of the province he was a fugitive from his capitol. A capitol he would never see again. He was flying for his liberty if not for his life. Thus the people were the direct agents that brought about the end of the royal authority in North Carolina.[109]

[108] Wheeler, *Remiscences of North Carolina*, p. 129.
[109] *C. R.*, Vol. IX, p. xxxvi.